

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

CORAM

THE HONOURABLE Mr. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.984 of 2016

and

Crl.MP.No.452 of 2016

1.N.D.Sukumar
S/o.N.Duraisamy,
4/2B, T.Balan Nagar,
Koundampalayam,
Coimbatore-30.

2.Haroon Al Rasheed Majeed
S/o.Hajee K.T.Abdul Majeed,
14, Sri Kamadenu Nagar,
Coimbatore-6.

... Petitioners

- Vs. -

1.State represented by
The Inspector of Police,
C-1, Kattor Police Station (Law and Order),
Coimbatore.
(Crime No.9 of 2016)

2. C.G.S.Govindaraj
S/o.Late.Subbiah Naidu,
2, Vivekanandar Street,
Gandhi Nagar (North)
Edayarpalayam, Coimbatore-25.

(R2 is impleaded as per the order
dated 08.02.2016 made in Crl.MP.No.1147/2016)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records of the FIR in Cr.No.9 of 2016 dated 05.01.2016 pending on the file of the respondent herein and quash the same.

For Petitioners : Mr.N.Damodaran

For Respondents : Mr.C.Iyyapparaj,
Additional Public Prosecutor for R1
Mr.Hemanathan
for M/s.M.Shahjahan

O R D E R

The petitioners, who are the accused in Crime No.9 of 2016, filed this quash petition.

2. The learned Additional Public Prosecutor appearing for the first respondent submits that in this case, investigation has been completed and further action was dropped, RCS No.2/2016 was served to the de facto complainant on 27.05.2016 and thereafter, it has been filed before the learned Judicial Magistrate-II, Coimbatore.

3. The learned counsel for the petitioners submits that from the RCS notice which is a detailed one, it is clearly mentioned that earlier for the same set of facts, 3 complaints were lodged and after investigation, two complaints were closed.

4. The learned counsel for the de facto complainant submits that no notice has been served to him from the Court with regard to the receipt and acceptance of the RCS notice.

5. In view of the above, nothing survives in this petition and the same is dismissed. However, liberty is given to the defacto complainant to approach concerned Court for his grievance. Thereafter, the Court concerned shall decide the case on merits and in accordance with law. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
C-1, Kattor Police Station (Law and Order),
Coimbatore.

2. The Public Prosecutor,
High Court,
Chennai-104.

+1cc M/s.M.Shahjahan, Sr.26679

+1cc Mr.N.Damodaran, Sr.26665

RLD (CO)

RV (02/09/2020)



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