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Crl.O.P.Nos.28016, 15492, 24544,
22792, 22793 & 6069 of 2019

**Crl.O.P.Nos.28016, 15492, 24544,
22792, 22793 & 6069 of 2019**

SATHI KUMAR SUKUMARA KURUP, J.,

These are the specially listed cases, wherein, the Hon'ble Chief Justice, has ordered to be listed before this Court for appropriate orders, by withdrawing the case in Crl.O.P.(MD).No.12803 of 2019 pending on the file of the Madurai Bench of this High Court and posting it before the Principal Bench to be clubbed along with the connected cases pending before the Principal Bench regarding Crime No.5 of 2018 on the file of the Inspector of Police, Idol Wing, Investigation Team, along with the Crime No.727 of 2017.

2. When the case was about to be heard, the learned Counsels in all these cases in Crl.O.P.No.28016 of 2019, Crl.O.P.No.15492 of 2019, Crl.O.P.No.24544 of 2019, Crl.O.P.No.22792 of 2019, Crl.O.P.No.22793 of 2019 & Crl.O.P.No.6069 of 2019 submitted that as per the guidelines issued by the Hon'ble Supreme Court in the Judgment of *J.K.International Vs. State (Govt. of NCT of Delhi) and others*, reported in (2001) 3 SCC 462, before exercising the extraordinary powers under Section 482 of Cr.P.C., has made it mandatory that the



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Defacto complainant had to be heard. In these cases, the Defacto complainant are interested in Prosecuting the case particularly viz., 1) Annamalai and Rangarajan Narashimhan. Also, the Registry had not printed the names of the Defacto complainants/second Respondents in all these cases in Crl.O.P.(MD).No.12803 of 2019, Crl.O.P.No.28016 of 2019, Crl.O.P.No.15492 of 2019, Crl.O.P.No.24544 of 2019, Crl.O.P.No.22792 of 2019, Crl.O.P.No.22793 of 2019 & Crl.O.P.No.6069 of 2019.

3. The learned Additional Public Prosecutor also present in Court submitted that the investigation had already progressed but yet to file a final report. Since the order of stay continues, the Investigation Officer had not filed final report of Investigation before the Competent Court.

4. Registry is directed to print the name of Mr.E.Raj Thilak, the learned Additional Public Prosecutor appearing for the first Respondent.



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5. Issue fresh notice to the second Respondent/Defacto complainant returnable by 07.06.2022. Private notice is also permitted.

6. Post these matters on 07.06.2022.

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SATHI KUMAR SUKUMARA KURUP, J.,
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