



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.4294 of 2020

and

Crl.M.P. (MD)No.2389 of 2020

WEB COPY

1.K.Thangavel
2.K.Rajendran
3.K.Krishnamoorthy
4.K.Thirupathi

... Petitioner/Accused No 1,6,7&8

-vs-

1.The State represented by
The Inspector of Police,
Ottanchathiram Police Station,
Ottanchathiram,
Dindigul District
(Crime No.224 of 2012)

...1st Respondent/Complainant

2.K.Chellamuthu

...2nd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the First information Report bearing Crime No.224 of 2012 on the file of the Inspector of Police, Ottanchathiram Police Station, Ottanchathiram, Dindigul District and subsequently quash the same as illegal, erroneous and devoid of merits.

For Petitioner : Mr.S.Palani Velayutham

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

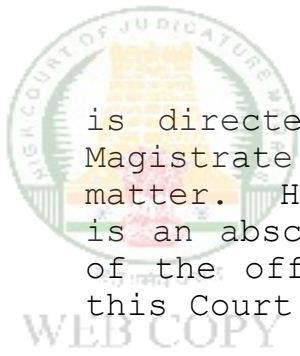
O R D E R

This Criminal Original Petition has been filed for quashing the impugned First Information Report.

2.When the matter was taken up for admission, the learned Government Advocate states that final report was filed by the first respondent way back in the year 2014. But the jurisdictional Magistrate did not receive the final report as some of the accused were not arrested.

3.The concept of absconding charge sheet appears to be unknown to the jurisdictional Magistrate. Therefore, the first respondent

<https://hcservices.ecourts.gov.in/hcservices/>



is directed to submit the final report before the jurisdictional Magistrate and the Magistrate is directed to take a call in the matter. He will not return the final report on the ground that it is an absconding charge sheet. If the Magistrate takes cognizance of the offences, the petitioners, ofcourse are at liberty to move this Court for quashing the final report.

4.With this observation and direction, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pnn

To

- 1.The Judicial Magistrate
Ottanchathiram, Dindigul District.
- 2.The Inspector of Police,
Ottanchathiram Police Station,
Ottanchathiram, Dindigul District.
- 3.Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.PALANIVELAYUTHAM, Advocate (SR-10963[F] dated 11/03/2020)

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