



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**Dated: 20.11.2020**

CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

**Crl.OP(MD)No.17239 of 2017**

**and**

**Crl.MP(MD)No.11294 of 2017**

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S.T.Ganapathi : Petitioner/Sole Accused

Vs.

1.The Inspector of Police,  
Cumbum North Police Station,  
Cumbum,  
Theni District.  
(In Crime No.633 of 2017) : 1<sup>st</sup> Respondent/Complainant

2.Abbas Manthiri : 2<sup>nd</sup> Respondent/De-facto  
Complainant

**Prayer:** Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to call for the records pertaining to the Crime No.633 of 2017 on the file of the 1<sup>st</sup> respondent police and quash the same and pass such other orders.

For Petitioner : Mr.J.Lawrance

For 1<sup>st</sup> Respondent : Mr.K.Karmegam  
Government Advocate  
(Criminal side)

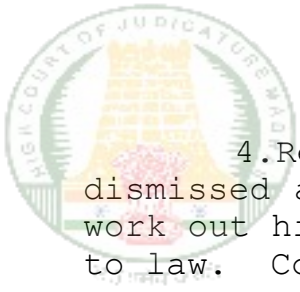
### **O R D E R**

#### **(Thro' VC)**

This Criminal Original Petition is filed to call for the records pertaining to the Crime No.633 of 2017 on the file of the 1<sup>st</sup> respondent and quash the same.

2.When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the 1<sup>st</sup> respondent submitted that the complaint given by the petitioner was closed as "Mistake of Fact" by the 1<sup>st</sup> respondent police, on 10.01.2019 and to the effect, the 1<sup>st</sup> respondent has also filed a final report before the Judicial Magistrate, Uthamapalayam.

3.The said fact is not disputed by the learned counsel appearing for the petitioner.



4. Recording the above, this Criminal Original Petition is dismissed as infructuous. However, the petitioner is at liberty to work out his remedy before the appropriate forum in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1 .The Judicial Magistrate, Uthamapalayam, Theni District.

2.The Inspector of Police,  
Cumbum North Police Station,  
Cumbum, Theni District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.J.LAWRANCE, Advocate ( SR-22440[F] dated 23/11/2020 )

**Cr1.OP(MD)No.17239 of 2017**

**20.11.2020**

**ARK** (CO)

NR (18/12/2020) 2P : 5C