



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2020

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**
Crl.O.P.(MD)No.19491 of 2019

C.Nishanth : Petitioner/Accused No.3
Vs.

1.State through
The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
(Crime No.382 of 2016) : 1st Respondent/Complainant

2.Chelladhurai : 2nd Respondent/Defacto Complainant

3.Thangasamy

4.Chellasamy : 3rd and 4th respondents/Accused Nos.1&2

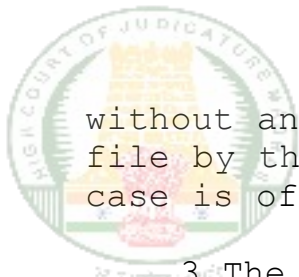
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.382 of 2016 on the file of the Inspector of Police, Eraniel Police Station, Kanyakumari District, dated 09.06.2016 and quash the same as far as this petitioner is concerned.

For Petitioner : Mr.B.N.Raja Mohamed
For R1 : Mrs.S.Bharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.382 of 2016 on the file of the Inspector of Police, Eraniel Police Station, Kanyakumari District, dated 09.06.2016.

2.The learned counsel appearing for the petitioner would submit that earlier the petitioner filed a petition in Crl.OP(MD) No.7783 of 2019 before this Court for filing final report within a stipulated time. When the matter is taken up for hearing on 07.06.2019, the learned Government Advocate (Crl.Side) submitted that final report was filed on 24.05.2019 and it was yet to be taken on file. After hearing the submission of the learned Government Advocate (Crl.Side), this Court directed the learned Judicial Magistrate, to take final report on file immediately



without any delay. But, the final report has not yet been taken on file by the concerned Magistrate. He would further submit that the case is of the year 2016, the trial is not yet commenced.

3. The learned Government Advocate (Crl.Side) would submit that final report was filed on 24.05.2019 before the learned Judicial Magistrate, Kanyakumari, and it is yet to be taken on file by the concerned Magistrate.

4. In view of the same, the learned Judicial Magistrate, Kanyakumari, is directed to take final report on file and complete the trial within a period of four months from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss
To

1.The Judicial Magistrate,
Kanyakumari.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

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

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KM/ (27.01.2020) 2P 4C