



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2021

CORAM:

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.10997 of 2021

Subramanian

... Petitioner

Versus

1. The Superintendent of Police,
Thiruvallur District, Thiruvallur.

2. The Inspector of Police,
District Crime Branch,
Thiruvallur District.
(Crime No.12 of 2019)

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein to complete the investigation in Crime No.12 of 2019 in accordance with law, within a stipulated time prescribed by this Court.

For Petitioner :	Mr.T.Muruganantham
For Respondents:	Mr.E.Raj Thilak
	Counsel for
	Government of Tamil Nadu (Crl.side)

ORDER

The petitioner is the de-facto complainant, who had lodged a complaint against one Vijaya, Jamuna and Sekar, and a case in Crime No.12 of 2019 was registered by the respondents/police, for the offences under Sections 120B, 406, 417, 420, 467 and 468 of IPC. Thereafter, the respondents/police have not properly conducted any investigation, against which, the petitioner filed the present petition, seeking a direction to the second respondents/police to complete the investigation in Crime No.12 of 2019, in accordance with law.

2.The learned Counsel for Government of Tamil Nadu (Crl.side) appearing for the respondents submitted that, after registration of the case, investigation had been conducted and the case was closed as "mistake of fact" in RCS.No.6 of 2019 and a copy of the notice was served on the petitioner.



3.The learned counsel for the petitioner states that, in Crime No.12 of 2019, as stated by the learned Counsel for Government of Tamil Nadu (Crl.side), since the case was closed as "mistake of fact" in RCS.No.6 of 2019 on 30.11.2019, and that even RCS notice was stating to have been sent after seven months, is unacceptable, and that even the petitioner had not received any such closure report, till now.

4.In view of the above submission of the learned counsel for the petitioner, the second respondent/police is directed to serve a copy of RCS.No.6 of 2019 notice, dated 30.11.2019, through the concerned learned Judicial Magistrate No.I, Thiruvallur, by issuing summons to the petitioner about the closure of the RCS notice. Thereafter, the petitioner may be given an opportunity to file a protest petition, if he desires to do so. In the event of, filing of such protest petition, appropriate orders be passed by the Court below.

5.With the above observations and directions, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

klt

To

- 1.The Superintendent of Police,
Thiruvallur District, Thiruvallur.
- 2.The Inspector of Police,
District Crime Branch,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.
- 4.The Judicial Magistrate No.1
Tiruvallur.
- 5.-Do thro-The Chief Judicial Magistrate
Chengalpet(For information)

CRL.O.P.No.10997 of 2021

JPL(CO)
CB(05/08/2021)