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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.2883 of 2017
and Crl.M.P.No.2043 of 2017

1.Umamaheshwary
2.C.Ramasamy
3.V.Krishnakumari
4.L.S.Venkataraman
5.V.Ayshwarya

.. Petitioners

Vs.

1.The Inspector of Police,
G-4, Cheyyur Police Station,
Kancheepuram District
Crime No.1100 of 2014

.. 1st Respondent/Complainant

2.C.Santha

.. 2nd respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for all the records and quash all the proceedings in Crime No.1100 of 2014 now pending investigation on the file of the 1st respondent.

For Petitioners .. Mr.P.Kumaresan

For R1 .. Mr.E.Raj Thilak
(Govt.Advocate Criminal Side)

For R2 .. Mr.R.Ganeshkumar

ORDER

This Criminal Original Petition has been filed seeking to quash further proceedings and investigation in Crime No.1100 of 2014 which was at that particular point of time pending before the 1st respondent namely, the Inspector of Police, G-4, Cheyyur Police Station, Kancheepuram District.

2.Mr.P.Kumaresan, learned counsel for the petitioner who appears for the petitioner expresses grievance with the attitude of the 1st respondent. The learned counsel for the petitioner



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pointed out that when the petition came up for hearing in the first instance on 07.04.2017, a learned Single Judge of this Court, in the presence of the prosecution counsel also, had granted an order of interim stay in CrI.O.P.No.2883 of 2017 for a period of two weeks.

3.It is stated by the learned counsel that the nature of the order was immediately informed to the respondent or rather information was also given to the respondent police, who according to Mr.P.Kumaresan, learned counsel for the petitioner, is present before the Court.

4.But it is the grievance expressed that immediately, a final report was lodged before the Competent Court of jurisdiction namely, Judicial Magistrate Court, Maduranthakam and the learned Judicial Magistrate had also taken cognizance of the said final report and taken it on file in C.C.No.103 of 2017 on 08.04.2017 immediately.

5.In view of that fact, it is stated by Mr.P.Kumaresan, learned counsel it necessitated the petitioner to file CrI.O.P.No.14086 of 2017 questioning further progress of C.C.No.103 of 2017. Even though this Court had taken up that particular grievance addressed by Mr.P.Kumaresan, learned counsel, since CrI.O.P.No.14086 of 2017 had been filed and had been taken on file by this Court, CrI.O.P.No.2883 of 2017 can be disposed of and closed. I am not using the word dismissed primarily because of the nature of the statement made across the bar that an order of stay was granted, but still final report was filed and taken cognizance by the learned Judicial Magistrate, Maduranthakam.

6.With the above observations, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

smv

To

1.The Inspector of Police,
G-4, Cheyyur Police Station,
Kancheepuram District.



2.The Public Prosecutor,
High Court, Madras-104.

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PCH (CO)
PR (16/09/2021)

Cr1.O.P.No.2883 of 2017