



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.03.2021
CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P. (MD)No.4358 of 2021

M.Gopalakrishnan ... Petitioner
Vs.

1.The Superintendant of Police,
O/o.The Superintendant of Police,
Madurai District.

2.The Inspector of Police,
Melavalavu Police Station,
Melur Taluk
Madurai District.
Crime No.288 of 2016

3.Pasumpon Muthuramalingam ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the trial proceedings in S.C.No.627 of 2017 on the file of the Assistant Sessions Judge, Melur, to be kept in abeyance until the second respondent files a final report in Crime No.288 of 2016 of Melavalavu Police Station.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents 1 & 2: Mr.S.Chandrasekar
Government Advocate (Criminal Side)

ORDER

Mr.T.Lajapathi Roy, learned counsel for the petitioner contended that though a complaint was lodged by the petitioner with the second respondent and the same was registered in Crime No.288 of Melavalavu Police Station, the second respondent did not file any final report till date and on the other hand based on the complaint lodged by the third respondent, filed a final report in S.C.No.627 of 2017.

2.Mr.S.Chandrasekar, learned Additional Public Prosecutor, who accepts notice on behalf of the respondents 1 and 2, on instructions, would contend that the Inspector of Police, Melavalavu Police Station, Melur, after concluding investigation



in Crime No.288 of 2016, laid a Referred Charge Sheet (RCS) before the Judicial Magistrate Court, Melur, after giving notice to the defacto complainant / petitioner.

3.Recording the submissions made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed. However, if the petitioner is aggrieved by the Referred Charge Sheet (RCS) filed by the second respondent, he can approach the concerned Judicial Magistrate and file a protest petition, if so advised.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendant of Police,
O/o.The Superintendant of Police,
Madurai District.
- 2.The Inspector of Police,
Melavalavu Police Station,
Melur Taluk
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate(SR-13014[F] dated 23/03/2021)

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ES (CO)

AS(12.05.2021) 2P 5C

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