



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Cr1.OP(MD)No.2693 of 2021

Jeyaraj

... Petitioner/Defacto Complainant

vs.

State Rep. by
The Inspector of Police,
Keeriparai Police Station,
Kanyakumari District.
In Crime No.41 of 2018

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent to expedite the investigation in Crime No.41 of 2018 and to file a final report before the Judicial Magistrate, Boothapandi.

For Petitioner	: Mr.S.Muniyandi
For Respondent	: Mr.R.Erottuchamy Government Advocate (Criminal side)

O R D E R

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure to direct the respondent to expedite the investigation in Crime No.41 of 2018 and to file a final report before the learned Judicial Magistrate, Boothapandi.

2.Mr.R.Erottuchamy, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondent, on instructions, would contend that the the First Information Report in Crime No.41 of 2018 of Keeriparai Police Station, Kanyakumari District was closed as 'Mistake of Fact' and a referred charge sheet is also made ready.

3.In the circumstances, the respondent is directed to file a referred charge sheet before the Judicial Magistrate, Boothapandi within a period of two weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner/defacto complainant. If the petitioner is aggrieved over the referred charge sheet filed by the respondent, he can approach the concerned Judicial Magistrate and file a protest petition, if he is so advised.



4. With the above observation, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (ADII)

// True Copy //

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/ /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 Judicial Magistrate, Boothapandi.
2. The Inspector of Police,
Keeriparai Police Station,
Kanyakumari District.
3. The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SSS (CO)
KB(15.03.2021) 2P 4C