



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P. (MD) No.1733 of 2019

and CrI.M.P. (MD) .No.928 of 2019

WEB COPY

K.Sugumar

.. Petitioner/Accused No.1

Vs.

1.State rep. by

The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai, Pudukottai District.
In Crime No.258 of 2018.

.. 1st Respondent/Complainant

2.Thambusamy

.. 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Cr.No.258/2018 dated 28.12.2018 on the file of the 1st respondent police and quash the same as illegal in so far the petitioner concerned.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.E.Antony Sahaya Prabahar for R1
Additional Public Prosecutor

ORDER

This petition has been filed seeking quashment of impugned FIR in Cr.No.258/2018 dated 28.12.2018 on the file of the 1st respondent police, which was registered for the offences punishable under Sections 294(b), 323 and 506(ii) IPC.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that investigation has been completed and it has been closed as mistake of fact and RCS notice has also been served upon the second respondent.

3.However, the learned counsel for the second respondent submitted that he has not received any RCS notice so far. The learned counsel for the second respondent may get copy of the closure report or RCS notice from the office of the learned Additional Public Prosecutor. After getting the closure report the second respondent may workout his remedy through appropriate proceedings. Since the investigation has been completed and closure report has been filed, the prayer sought for in this petition has become infructuous.



4.With the above liberty, this criminal original petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai, Pudukottai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.1733 of 2019
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RD(04.12.2021) 2P 3C