



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.7811 of 2021

and

Crl.M.P.(MD)No.3988 of 2021

1.Deva Anand

2.Sujai

... Petitioners/Accused No.1&2
Vs.

1.State Represented by

The Inspector of Police,
Valliyoor Police Station,

Tirunelveli District.... 1st Respondents/complainant

2.Christin Sindhu Mary ...2ndRespondents/De-facto complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned FIR in Crime No.146 of 2019 on the file of the first respondent herein, quash the same.

For Petitioners : Mr.K.Rajeshwaran

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

The present petition is filed seeking quashment of the First Information Report in Crime No. 146 of 2019 pending on the file of the first respondent police.

2.The case of the prosecution is that due to previous enmity between the petitioner and the de-facto complainant with regard to the stagnation of drainage water, the petitioners abused the de-facto complainant and the first petitioner attacked the de-facto complainant with chair and the second petitioner attacked the de-facto complainant by using stone and also the petitioners attacked the de-facto complainant's husband by chair and hand. Hence, the



second respondent/de-facto complainant gave a complaint before the first respondent police. Based on which, the respondent police registered a case in Crime Nos.146 of 2019 against the petitioners.

3.Heard the learned counsel on either side.

4.Today, When the matter came up for hearing, the learned Additional Public Prosecutor submitted that investigation is completed and final report was also presented before the learned Judicial Magistrate, Valliyoor on 05.06.2019. Since the presiding officer post is lying vacant, the final report is not taken on file sofar. Even though the post is vacant, some other officer may be in-charge.

3.There shall be a direction to the in-charge Magistrate to look into the matter and process the same, since the final report has already been filed on 05.06.2019 itself.

4.With this direction, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSIII)

// 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.

Sji

To

1.The Judicial Magistrate, Valliyoor.

2.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

Crl.O.P. (MD) No.7811 of 2021
16.06.2021

GS (23.06.2021) 3P 4C