



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.9185 of 2019

and

Crl.MP(MD)No.5856 of 2019

WEB COPY

1.Balasubramanian
2.Genagaiah
3.Arun
4.Mariselvam

... Petitioners/Accused No.4 to 7

vs.

1. The Inspector of Police,
Kadambur Police Station,
Thoothukudi District.
(Crime No.32 of 2017)

... 1st Respondent/Complainant

2.Kumarasamy

... 2nd Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.32 of 2017, dated 28.05.2017, on the file of the 1st respondent police and quash the same as illegal.

For Petitioners : Mr.C.Selvakumar

For R1 : Mr.R.Sivakumar

Government Advocate (Crl.Side)

O R D E R

This petition is filed seeking quashment of FIR in Crime No.32 of 2017, on the file of the first respondent police, dated 28.05.2017.

2.When the matter is taken up for hearing, the learned Government Advocate (Crl.Side) would submit that during the course of investigation, it was found that no offence has been committed by the accused persons and the complaint given by the second respondent has been closed as 'mistake of fact' on 10.06.2021. But, however, RCS notice has not been served to the defacto complainant sofar.

3.Let RCS notice be served to the defacto complainant immediately.

4.Since the complaint given by the defacto complainant has been closed as 'mistake of fact', nothing survives for further adjudication or further consideration in this petition. Hence the petition has become infructuous.



WEB COPY

Crl.OP(MD)No.9185 of 2019

5. Accordingly, this Criminal Original Petition is dismissed as infructuous. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

To

1. The Inspector of Police,
Kadambur Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.OP(MD)No.9185 of 2019

and

Crl.MP(MD)No.5856 of 2019

01.12.2021

DKS (CO)

GC(15.12.2021) 2P 3C