



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.9572 of 2021
and Crl.M.P(MD)No.4894 of 2021

1.Kesavan @ Harikesavan

2.Jawahar

... Petitioners/A2 and A4

Vs.

1.The State, represented by its
The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.

..1st Respondent/Complainant

2.Moorthy

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the impugned FIR in Crime No.156 of 2020 on the file of the first respondent police and to quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.P.Suresh Kumar

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition has been filed to quash the entire records in relating to the impugned FIR in Crime No.156 of 2020 on the file of the first respondent police in so far as the petitioners are concerned.

2. The petitioners are arrayed as the accused 2 and 4 in the aforesaid case. According to the learned counsel for the petitioners, it is a case and counter and this case was foisted as a counter blast to the complaint given by them. The petitioners are charged for the offences under Sections 294(b), 342, 323, 324 and 506(ii) IPC.

3. The learned Additional Public Prosecutor submits that based upon investigation, final report is made ready on 23.06.2021 and it has been presented before the learned Judicial Magistrate No.2, Virudhunagar District which has not been taken on file.



4. Since final report is filed before the concerned court, nothing survives for adjudication in this petition. However, the petitioners are at liberty to work out their remedy appropriately. There shall be a direction to the learned Judicial Magistrate No.2, Virudhunagar District to process the final report and take it on file as per Rules. After completing the said process, compliance report shall be sent to the Registry.

5. With the above direction, this petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 No.II, Virudhunagar District.

2. The The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.

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

+1 CC to M/s.P. SURESHKUMAR, Advocate (SR-23255[F] dated 20/07/2021

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