



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Original Jurisdiction)

Tuesday, the Twenty Second day of June, Two Thousand and Twenty One

PRESENT :

The Hon'ble Mr.Justice B.PUGALENDHI

CRL MP(MD).No.7900 of 2020

in

CRL OP(MD).No.8947 of 2017

S.Karthikai Sami

...Petitioner

- Vs. -

1. The Superintendent of Police, Madurai District, Madurai.
 2. The Deputy Superintendent Of Police,
Peraiyur Taluk, Madurai DistRICT.
 3. The Inspector of Police, Peraiyur Taluk, Madurai District.
- ...Respondents

Prayer in CRL MP(MD).No.7900 of 2020 :

Criminal Miscellaneous Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to direct the respondents to implement the order of this Hon'ble Court in Crl.O.P. (MD)No.8947 of 2017 dated 14.07.2017.

Prayer in CRL OP(MD).No.8947 of 2017 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to direct the 3rd respondent Inspector of Police, Peraiyur Police Station, Madurai District to file final report in Cr.No.11/2016 dated 20.01.2016.

ORDER:-

Criminal Original Petition coming upon for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Meenakshi Sundaram, Advocate for the Petitioner and of Mr.S.Ravi, Standing Counsel For State Government on behalf of the respondent, this Court made the following order:

This miscellaneous petition is filed to direct the respondents to implement the order dated 14.07.2017 passed by this Court in Crl.O.P(MD)No.8947 of 2017, wherein this Court directed the Inspector of Police, Peraiyur Taluk, Madurai District, to file a final report in Crime No.11 of 2016, on his file within a period of four months from the date of receipt of a copy of that order and the order was made ready on 25.07.2017.



2.The learned Additional Public Prosecutor submits that the final report in Crime No.11 of 2016 on the file of the respondent Police has been filed by the Inspector of Police, Peraiyur Taluk, Madurai District on 29.06.2018 and the RCS notice was also served upon the complainant / the petitioner herein.

3.Heard the learned Counsel on either side and perused the materials placed on record.

4.This miscellaneous petition filed before this Court for a direction to implement the order dated 14.07.2017 as that of an EP Court cannot be maintained. However in view of the submission made by the learned Additional Public Prosecutor that the final report in Crime No.11 of 2016 has been filed before the learned Judicial Magistrate Court concerned on 29.06.2018, referring the complaint as mistake of fact and the RCS notice is also served on the complainant on 01.05.2021, it is open to the petitioner to file a protest petition before the court concerned.

5.In the result, this miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police, Madurai District, Madurai.
2. The Deputy Superintendent Of Police,
Peraiyur Taluk, Madurai DistRICT.
3. The Inspector of Police, Peraiyur Taluk, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 22/06/2021

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ORDER

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CRL MP(MD).No.7900 of 2020
in

CRL OP(MD).No.8947 of 2017

Giving direction and etc.
as stated within.

ns (CO)

TR(30.06.2021) 2P 5C