



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM :

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

Crl.O.P.(MD)No.16658 of 2021

Rajkumar

... Petitioner/Defacto
Complainant

Vs.

The State rep. By,
The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.984 of 2020)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to file a final report in Crime No.984 of 2020 on the file of the respondent police within a time frame fixed by this Court.

For Petitioner	: Mr.R.J.Karthick
For Respondents	: Mr.R.M.S.Sethuraman
	Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondent to file a final report in Crime No.984 of 2020 on the file of the respondent police within a time frame fixed by this Court.

2.The learned counsel for the petitioner submitted that the petitioner is the defacto complainant in Crime No.984 of 2020, which was registered for the offences punishable under Sections 341, 294(b) and 323 of IPC and accused in crime No.983 of 2020, which was registered for the offences under Sections 294(b), 323, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 and Section 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989. The grievance of the petitioner is that it is case in counter case. The respondent police completed the investigation in Crime No.983 of 2020 and filed a final report and the same was also taken cognizance in Spl.S.C.No.145 of 2021 by the learned Additional District Judge (PCR Court), Madurai. However, the



complaint given by the petitioner in Crime No.984 of 2020 is still pending.

3.The learned Additional Public Prosecutor submitted that Wound Certificate has been received now only.

4.What ever it may be simultaneous investigation ought to have been conducted by the respondent police in both the matters. Filing final report in one of the counter case and keeping other case pending may not be proper. Therefore, the respondent police shall complete the investigation and file the final report before concerned Court, within a period of one months from the date of receipt of a copy of this order. So that simultaneous trial can be undertaken by the trial Court.

5.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Austinpatti Police Station,
Madurai District.

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

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