



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.17573 of 2021

Valarmathi ... Petitioner/ Petitioner/
Complainant

Vs.

1.The Superintendent of Police,
Theni, Theni District.

2.State rep by
The Inspector of Police,
District Crime Branch,
Office of the Superintendent of Police,
Theni District.
(Crime No.33 of 2013)

... Respondents/Respondents/
Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order passed in R.C.S.No.35 of 2017 on the file of the Judicial Magistrate, Theni, dated 25.08.2019.

For Petitioner : Mr.S.Sundarapandian

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor

O R D E R

The petitioner is the defacto complainant in Crime No.33 of 2013 registered on the file of the second respondent. The second respondent has filed a final report dropping further action in the matter. The petitioner has also been served with RCS notice. The petitioner has also filed her protest petition before the jurisdictional Magistrate. The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds would point out that the final report has been filed without any application of mind. Be that as it may, when a protest petition has been filed, it is for the jurisdictional Magistrate to take a call in the matter. Leaving open the petitioner's contentions, this criminal original petition is disposed of. The jurisdictional Magistrate is directed to take a call on the petitioner's protest petition on merits and in accordance with law within a period of six



weeks from the date of receipt of a copy of this order. The Registry is directed to mark a copy of this order to the learned Judicial Magistrate, Theni.

Sd/-

Assistant Registrar (CS-III)

WEB COPY

// 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 Superintendent of Police,
Theni, Theni District.
- 2.The Inspector of Police,
District Crime Branch,
Office of the Superintendent of Police,
Theni District.

Copy to:

The Judicial Magistrate,
Theni.

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15.11.2021

RD/NS (25.11.2021) 2P 4C