



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19221 of 2021

Hajaral Begum

... Petitioner/Defacto Complainant

Vs.

The Inspector of Police,
All Women Police Station,
Sivagangai District,
Sivagangai.

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to file the final report in Crime No.13 of 2020 dated 24.09.2020 on the file of respondent before the learned Additional Mahila Court, Sivagangai District within the time stipulated by this Court.

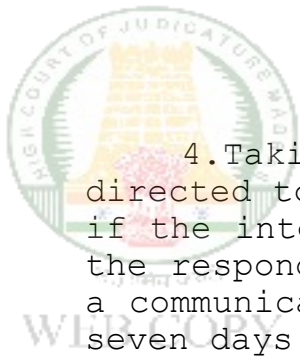
For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side).

O R D E R

This criminal original petition has been filed to file the final report in Crime No.13 of 2020 on the file of All Women Police Station, Sivagangai.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that Crl.O.P.(MD)No.14669 of 2020 has been filed by most of the accused and that interim stay has also been granted. Therefore, the second respondent is not in a position to file the final report. The said submission is well founded.

3.However, the learned counsel for the petitioner submits that in view of the decision of the Hon'ble Supreme Court reported in **(2018) 16 SCC 299 (Asian Resurfacing Of Road Agency ... vs Central Bureau Of Investigation)** if interim stay is not specifically extended in writing, it is deemed to lapse on the expiry of the six months period.



4.Taking note of the aforesaid submission, the respondent is directed to give a written communication to the accused stating that if the interim order is not extended within a period of four weeks, the respondent would be constrained to file the final report. Such a communication will be issued by the respondent within a period of seven days from the date of receipt of a copy of this order.

5.This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar(AS)

// 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 Judge, Additional Mahila Court, Sivagangai.

2.The Inspector of Police,
All Women Police Station,
Sivagangai District,
Sivagangai.

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

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-37568[F] dated 07/12/2021)

Crl.O.P(MD)No.19221 of 2021
06.12.2021

ARK(CO)
TR(17.12.2021) 2P 5C