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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1240 of 2022

Timothy Moses
S/o.E.A.George Moses

... Petitioner

Versus

State
Rep by Inspector of Police
Central Crime Branch
Chit & Kandhuvatti Wing
Chennai - 600 007.
(Crime No.485 of 2015)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, pleased to direct the respondent police to complete the investigation and to file the final report in Crime No.485 of 2015 on the file of the respondent police.

For Petitioner : M/s.T.Saikrishnan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(The case has been heard through video conferencing)

This petition has been filed to direct the respondent police to complete the investigation and to file the final report in Crime No.485 of 2015 on the file of the respondent police.

2.The grievance of the petitioner is that, he lodged a complaint and F.I.R. has been registered in Crime No.485 of 2015 for the offence u/s.406, 420, 506(1) IPC and Section 3 & 4 of the Tamil Nadu Prohibition of charging Exorbitant interest Act,



2003. Thereafter, no action has been taken, despite the representation made by the petitioner to the respondent police to file final report.

3. Learned Public Prosecutor submitted that the further action in this case has been dropped and closed. The closure report is submitted to the Special Court of CCB & CBCID, Egmore, Chennai on 18.01.2022. The closure report was attempted to be served on the petitioner, but it was refused. Thereafter, the same has been affixed in the address of the petitioner "Notice to defacto complainant sent by affixed, Called absent. No representation. The petition is closed with liberty to file petition within three months."

4. Learned counsel for the petitioner at this juncture submitted that he was not aware of the closure and no notice being served or affixture order of the trial Court dated 18.01.2022 produced.

5. The respondent police is directed to serve a copy of the order dated 18.01.2022 along with further action dropped report and other connected materials. Thereafter, the petitioner shall file a protest petition. The Lower court already has given 3 months time from 18.01.2023 and the period is yet to get lapsed. The petitioner is directed to file the protest petition within three months from the date of service of the records and further action dropped report. The trial Court to consider the protest petition filed by the petitioner if any and dispose of the same on its own merits.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Court,
CCB & CBCID,
Egmore, Chennai.



2. The Inspector of Police
Central Crime Branch
Chit & Kandhuvatti Wing
Chennai - 600 007.

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3. The Public Prosecutor
High Court of Madras

+lcc to Mr.T.Saikrishnan, Advocate, S.R.No.4194

CRL.O.P.No.1240 of 2022

PCH(CO)
SU(08/02/2022)