



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.2058 of 2022

in

Crl.O.P.No.19211 of 2021

M.A.Syed Mohammed,
S/o.A.P.M.S.Mohammed Ali Marakayar

... Petitioner

Vs

State of Tamil Nadu,
Represented by
The Inspector of Police,
J-8 Police Station,
Neelankarai, Chennai.
(Crime No.233 of 2021)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., to direct the respondent to produce the RCS Notice No.3 of 2021 dated 10.10.2021 said to be issued in Crime No.233 of 2021 on the file of the respondent and hand over the same to the petitioner through his counsel.

Prayer in Crl.O.P.No.19211 of 2021: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to complete the investigation and to file a final report in connection with Crime No.233 of 2021, within a time to be fixed by this Court.

For Petitioner : Mr.Prakash Goklaney

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, to direct the respondent to produce the RCS Notice No.3 of 2021 dated 10.10.2021 said to be issued in Crime No.233 of 2021 on the file of the respondent and hand over the same to the petitioner through his counsel.

2. Learned counsel for the petitioner would submit that the



petitioner had filed Crl.O.P.No.19211 of 2021, seeking to complete the investigation and file a final report in Crime No.233 of 2021 within a time frame fixed by this Court.

3. When the matter was listed on 21.10.2021, the learned Government Advocate for the respondent submitted that the investigation in this case has been completed and the same has been closed as "Mistake of Fact" and the RCS Notice was ready.

4. The learned counsel for the petitioner would further submit that RCS notice was not served on the petitioner till date.

5. At this juncture, learned Additional Public Prosecutor would submit that even, when the case was listed on 21.10.2021, it was submitted that RCS notice was yet to be served on the petitioner/defacto complainant. He would submit that the respondent had attempted to serve notice on the petitioner/defacto complainant and even today the house of the petitioner/defacto complainant was found to be locked. He would further undertake that the copy of the RCS notice will be served on the counsel for the petitioner in the course of the day to day.

6. Recording the same, this Criminal Miscellaneous Petition is disposed of. Liberty is granted to the petitioner, to challenge the final report in accordance with law.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dsn/arb

To

1. The Inspector of Police,
J-8 Police Station,
Neelankarai, Chennai.

2. The Public Prosecutor,
High Court of Madras.

+2ccs to Mr.Prakash Goklaney, Advocate, S.R.No.16905 (29/06/2022)
Crl.M.P.No.2058 of 2022
in Crl.O.P.No.19211 of 2021

SSI(CO)
SU(23/03/2022)