



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.7104 OF 2022

Murugan

... Petitioner

.Vs.

The State Rep. by its
The Inspector of Police,
Kangeyam Police Station,
Tirupur District.
(Crime No.96 of 2014)

... Respondent

PRAYER:-

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police to complete the investigation in Crime No.96 of 2014 on the file of the respondent police within the stipulated time frame as may be fixed by this Court pending investigation of the respondent police and investigate the same and file the final report before the Court of competent jurisdiction.

For Petitioner : Mr.M.Saravana Kumar

For Respondent : Mr.V.Meganathan
Government Advocate
(Criminal Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent police to complete the investigation in Crime No.96 of 2014 on the file of the respondent police and file the final report before the Court of competent Court.

2. When the matter is taken up for hearing, Mr.V.Meganathan, learned Government Advocate (Crl. side) would submit that the case in Crime No.96 of 2014 was originally



registered for the offence under Section 3(i)(x) of SC/ST Act (POA), 1989 & Section 95 of P.O. Act and Section 324 of IPC. The respondent after completion of investigation has filed the final report for offence under Section 324 of IPC alone. The final report was placed before the Screening Committee and it was accepted by the Screening Committee on 25.07.2011 vide order ந.க.எண்.15096/2009/கா3. He would further submit that the final report was also filed before the Jurisdictional Court as early as on 12.06.2017 and the case has been taken up in STC No.383 of 2017 on the file of the learned Judicial Magistrate, Kangeyam and the case stands posted to 19.04.2022.

3. At this juncture, learned counsel for the petitioner would submit that the petitioner is a defacto complainant and that the copy of the final report has not been served on him. He would also pray that liberty may be granted to the petitioner to challenge the final report by way of protest petition.

4. In view of the above, direction is issued to the Respondent Police to furnish the copy of the final report along with the orders passed by the screening committee to the petitioner within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the Petitioner is at liberty to challenge the same by filing appropriate protest petition before the jurisdictional Court as per the mandate of Hon'ble Apex Court in the case of "Union Public Service Commission Vs. S.Papaiah and others" reported in (1997) 7 SCC 614 and also as per the order passed by this Court in the case of "R.Dharmalingam Vs.State and others" reported in MANU/TN/7721/2019.

5. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Inspector of Police,
Kangeyam Police Station,
Tirupur District.



2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.Saravana Kumar, Advocate, S.R.No.21994

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JPL (CO)
PBS/21/04/2022