



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.01.2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.22029 of 2018

V.Shanmugam

... Petitioner/Accused

Versus

1.Jayaprakash,
2.State Rep.by
Superintendent of Police,
Salem District.
(Crl.M.P.No.1546 of 2018)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and set aside the order dated 24.08.2018 passed by the learned Judicial Magistrate No.I, Attur in Crl.M.P.No. 1546 of 2018.

For Petitioner ... Mr.M.Anandaraj
For Respondent R1 ... No appearance

for R2

Mr.R.Kishore Kumar

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to quash the order dated 24.08.2018 passed by the learned Judicial Magistrate No.1, Attur in Crl.M.P.No.1546 of 2018.

2.The learned counsel for the petitioner submitted that now the 2nd respondent police has investigated the matter and a report has been filed stating that no offence is made out as against the petitioner and closed the complaint as mistake of fact and hence, nothing survives for adjudication in this petition.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the 2nd respondent and also perused the materials available on record.



4. On a perusal of records, it appears that though private complaint has been filed as against the petitioner pursuant to registration of F.I.R for the offence under Section 366 IPC who alleged to have kidnapped one Krithika which resulted in filing of the complaint and now after investigation, the complaint has been closed as mistake of fact.

5. In such view of the matter this Criminal Original Petition is dismissed as infructuous as nothing survives for adjudication.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ms/nsa

To

1. The Judicial Magistrate No.I,
Attur.

2. The Superintendent of Police,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.22029 of 2018

gpl(CO)
A.SK(21.02.2022)