



WEB COPY



Crl.O.P.No.13436 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.13436 of 2021
and Crl. M.P. No.7375 of 2021

1.S.Veeraraghavan
2. K.Ragunathan

... Petitioners

Vs.

1. State rep.by
The Assistant Commissioner of Police,
Stationed at B-2, Esplanade Police Station,
High Court Campus,
Chennai – 600 104.

2. The Inspector of Police
B-2, Esplanade Police Station,
Flower Bazaar,
Chennai – 600 104.
(Crime No.792 of 2021)

3. S.Shalini

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the first information report in Cr. No.792 of 2021 pending investigation on the file of the Assistant Commissioner of Police,



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B2, Esplanade Police Station, High Court Campus, Chennai – 600 104, and
quash the same.

For Petitioner : Mr. K.Selvakumaraswami

For Respondent-1&2 : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the first information report in Cr. No.792 of 2021 pending investigation on the file of the Assistant Commissioner of Police, B2, Esplanade Police Station, High Court Campus, Chennai – 600 104, and quash the same.

2. When the matter was taken up for hearing today, the learned Additional Public Prosecutor appearing for the first & second respondent submitted that in this case investigation has been completed and further action has been dropped.

3. The learned counsel for the third respondent / *de facto* complainant submitted that there are sufficient grounds for filing charge sheet and the prosecution ought not to have deferred the charge sheet.

4. If the *de facto* complainant has got any objection, he is at liberty to file



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a protest petition in accordance with law before the appropriate forum. Since investigation is over and charge sheet has also been deferred as 'Mistake of Facts', nothing survives for further adjudication in this case.

5. Accordingly, the Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Index: Yes/No
Speaking / Non Speaking Order
bkn

16.09.2022

To

1. The Assistant Commissioner of Police,
Stationed at B-2, Esplanade Police Station,
High Court Campus,
Chennai – 600 104.
2. The Inspector of Police
B-2, Esplanade Police Station,
Flower Bazaar,
Chennai – 600 104.
3. The Public Prosecutor,
High Court of Madras.

R.N.MANJULA, J.



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