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Crl.O.P.No.28545 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.28545 of 2022

Indhirani

...

Petitioner

versus

State by the Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
(Crime No.1021 of 2021)

...

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the respondent, The Inspector of Police, Kannamangalam Police Station, Tiruvannamalai District, to complete the investigation and apprehend the accused involved in Crime No.1021 of 2021 and file a final report within a stipulated time as may be fixed by this Court.

For Petitioner

: M/s.C.V.Salin Nisha
for M/s.M.Duraimurugan

For Respondent

: Mr.S.Santhosh
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to direct the respondent police to complete the investigation and file a final report in Crime No.1021 of 2021.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3. The learned counsel for the petitioner would submit that though the respondent police has registered a case in Crime No.1021 of 2021 on 28.12.2021, the investigation is still pending and so far no action has been taken even to secure a single accused in this case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the investigation has already been completed and charge sheet has been filed by stating that the case is referred as 'mistake of fact'.



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5. However, it is obligatory on the part of the investigating agency to give notice to the *de facto* complainant about referring the charge sheet. On getting notice, the petitioner is at liberty to file protest petition / private complaint by invoking appropriate provisions of law, if she is so advised.

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

22.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

To

1.State by the Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.

2.The Public Prosecutor,
Madras High Court,
Chennai.

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R.N.MANJULA, J.

sri

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22.11.2022