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Crl.O.P.No.30276 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

CORAM

THE HON'BLE **Dr.JUSTICE G.JAYACHANDRAN**

Crl.O.P.No.30276 of 2019

and

Crl.M.P.No.16373 of 2019

K.Gowthaman

... Petitioner

Vs.

1.The State of Tamilnadu  
Rep.by The Inspector of Police,  
R-4, Soundarpandiyanar Angadi Police Station,  
Chennai.

2.M.Kevin

... Respondents

**Prayer:-** Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.398 of 2018 on the file of the 1<sup>st</sup> respondent and quash the same.

|                |                                                      |
|----------------|------------------------------------------------------|
| For Petitioner | : Mr.S.Vijay                                         |
| For R1         | : Mr.N.S.Suganthan<br>Government Advocate (Crl.Side) |
| For R2         | : Mr.P.Saranath                                      |



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## **ORDER**

This Criminal Original Petition is filed to quash the complaint in Crime No.398 of 2018 registered against the petitioner herein for the alleged offence under Sections 406 & 420 I.P.C.

2. When the matter is taken up for consideration today, the learned Government Advocate (Crl.Side) for the State submits that after investigation, the police has found that there is no *prima facie* material to proceed with the complaint and therefore, has prepared Referred Charge Sheet No.22 of 2022. When a copy of the Referred Charge Sheet attempted to be served on the *de facto* complainant, it appears that he has refused to receive the same.

3. Today, the *de facto* complainant is present and represented through his counsel. The 1<sup>st</sup> respondent police is directed to serve the Referred Charge Sheet to the *de facto* complainant and file it before the concerned Magistrate. It is open to the *de facto* complainant to work out his remedy by filing appropriate protest petition to the concerned



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Magistrate.

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4. With the said observations, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is also closed.

**02.11.2022**

rpl

Index: Yes/No

Speaking Order/Non Speaking Order

To

1.The Inspector of Police,  
R-4, Soundarpandiyanar Angadi Police Station,  
Chennai.

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



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**Dr.G.JAYACHANDRAN, J.**

rpl

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**02.11.2022**