



WEB COPY

CrI.O.P.(MD)No.134 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P (MD) No.134 of 2022

and

CrI.M.P. (MD) No.94 of 2022

E.Murugesan

... Petitioner/Sole Accused

Vs

1.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

... 1st Respondents/Complainant

2.Kosalai.

... 2nd Respondent/
Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the proceedings of Crime No.403 of 2019 on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.A.Albert James
Government Advocate (crl.)

ORDER

This Criminal Original Petition has been filed to quash the impugned FIR.

2. The learned Government Advocate (crl.) submits that final report was filed as early as on 11.11.2019 before the Additional Mahila Court, Nagercoil. It is stated that the Court below is yet to take cognizance of the offence.

3. The jurisdictional Magistrate is directed to take a call in the matter on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. If cognizance is taken, it is open to the petitioner to challenge the final report. All the contentions of the petitioner are left open. I have not gone into the merits of the matter. If the final report is not available before the court below, the respondent police shall file a fresh one forthwith and without any delay.



4. With this liberty to the petitioner and direction to the court below, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Judge,
Additional Mahila Court,
Nagercoil.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-894[F] dated 10/01/2022)

CrI.O.P (MD)No.134 of 2022
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MGJ(25.01.2022) 2P 5C