



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.1432 of 2022

WEB COPY

Navinraja

... Petitioner

vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The State rep. by
The Inspector of Police,
Manavalakurichi Police Station,
Kanyakumari District.
(Crime No.32 of 2018)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to conduct the investigation and to file the final report in Crime No.32 of 2018 on the file of the respondent police before the concerned Court within stipulated time fixed by this Court.

For Petitioner : Mr.R.A.Senthil Kumar

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.)

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

2.This criminal original petition has been filed by the defacto complainant for filing final report.

3.When the matter was taken up for hearing, the learned Government Advocate (crl.side) submitted that final report closing the case as "Mistake of Fact" was filed as early as on 30.04.2018 and RCS notice has also been issued. The petitioner's counsel disputes the said statement.

4. Without going into the factual controversy, the learned Judicial Magistrate, Eraniel is directed to issue fresh RCS notice to the petitioner. The second respondent shall serve one more copy of the final report on the petitioner within 10 days from the date



of receipt of a copy of this order. It is for the petitioner to file protest petition thereafter. If RCS notice has already been accepted by the jurisdictional Magistrate, it is open to the petitioner herein to file revision before the Sessions Court or this Court.

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5. With this observation and direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CA&MC)

// 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 Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
Manavalakurichi Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.1432 of 2022
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RK(04/03/2022) 2P 4C