



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.372 of 2022

A.Arammal

... Petitioner

Vs.

The Assistant Commissioner of Police,
Anna Nagar Range,
Anna Nagar,
Madurai City.

... Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the entire records pertaining to the order passed by the learned Judicial Magistrate No.VI, Madurai in Cr.M.P.No.1790/2019, dated 04.11.2020 and to set aside the same.

For Petitioner : Mr.C.M.Arumugam

For Respondent : Mrs.Aasha
Government Advocate (Crl.Side)

ORDER

The criminal revision petition has been filed as against the order passed by the learned Judicial Magistrate No.VI, Madurai, in Cr.M.P.No.1790 of 2019, dated 04.11.2020.

2.On the complaint lodged by the petitioner, the first respondent herein had registered a case in Crime No.537/2007 for the offence under Section 306 of IPC r/w Section 31 (1)(x) of Scheduled Caste and Scheduled Tribe Act. However, after investigation, it was closed as mistake of fact and the petitioner was served RCS notice No.970/2013. Immediately, the petitioner had filed a protest petition and in the said protest petition, the Court below ordered for re-investigation. Again, the respondent had investigated the crime and once again closed as mistake of fact by the final report, dated 21.10.2019. On receipt of the same, the learned Judicial Magistrate No.VI, Madurai, had closed the referred charge sheet in R.C.S notice No.917/2013 for the reason that the complainant was absent and there was no representation.

3.The learned Counsel appearing for the petitioner would submit that no report had been received to the petitioner in the re-investigation.



4.Considering the above, the petitioner is at liberty to file a protest petition on the final report, which had been filed by the respondent after re-investigation and on receipt of the same, the Court below is directed to conduct an enquiry and pass orders in accordance with law.

5.With the above direction, the criminal revision petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 learned Judicial Magistrate No.VI,
Madurai.
- 2.The Assistant Commissioner of Police,
Anna Nagar Range,
Anna Nagar,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Section officer, Criminal Section,
Madurai Bench Of Madras High Court, Madurai.

+1 CC to M/s.C.M. ARUMUGAM, Advocate (SR-19537[F] dated
19/04/2022)

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