



WEB COPY



Crl.O.P.(MD)No.8765 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.8765 of 2021
and Crl.M.P.(MD)No.4496 of 2021

R.Senthilkumar

... Petitioner

Vs.

1. The Inspector of Police,
Central Police Station,
Tuticorin District.
(Crime No.587 of 2014)

2. Gnanapriya
(R2 Suo motu impleaded
as per order of this Court
dated 13.08.2021 made in
Crl.O.P(MD)No.8765 of 2021)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in Closure Report, dated 21.06.2021 in Crime No.587 of 2014 on the file of respondent Police and set-aside the same, consequently re-open the investigation.

For Petitioner : Mr.Vivek Kumar.M

For Respondents

For R1 : Mr.Veeranthiran

Government Advocate (Crl. Side)

For R2 : Mr.G.Prabhu Rajadurai.



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ORDER

This Criminal Original Petition has been filed to set aside the Closure Report, dated 21.06.2021 filed by the first respondent Police in Crime No.587 of 2014 and consequently direct to re-open the investigation.

2. The petitioner is a defacto complainant and he has given a complaint as against the second respondent and the same was registered in Crime No.587 of 2014. After investigation, the same was closed by the closure report dated 21.06.2021. As against the same, the petitioner has filed the present Criminal Original Petition.

3. It is seen that on the counter case filed by the second respondent as against the petitioner, the first respondent registered a FIR in Crime No.586 of 2014. After completion of investigation, the first respondent filed the charge sheet and the same has been taken cognizance in C.C.No.240 of 2016 on the file of the learned Judicial Magistrate-II, Tuticorin.



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4. Further, the petitioner has filed a petition in CrI.O.P(MD) No.13767 of 2021 to quash the proceedings in C.C.No.240 of 2016 and this Court by an order dated 08.04.2022, dismissed the quash petition. However, challenging the closure report filed by the first respondent in Crime No.587 of 2014 dated 21.06.2021, the petitioner can very well file a protest petition before the concerned Magistrate.

5. Hence, the Criminal Original Petition stands disposed of with liberty to the petitioner to file protest petition as against the closure report dated 21.06.2021 filed by the first respondent in Crime No.587 of 2014. Consequently, connected miscellaneous petition is closed.

02.08.2023
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Internet: Yes
Index : Yes/No
Speaking/Non speaking order

rts



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G.K.ILANTHIRAIYAN. J.

rts

To

1. The Judicial Magistrate-II,
Tuticorin.
2. The Inspector of Police,
Central Police Station,
Tuticorin District.
3. The Public Prosecutor,
High Court,
Madras.

Crl.O.P.(MD)No.8765 of 2021
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