



Crl.O.P.(MD)No.18065 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.18065 of 2022
and Crl.M.P(MD).No.12048 of 2022

Dheenathayalan

... Petitioners/Accused No.4

Vs.

1.State through

The Inspector of Police,
Avudaiyarkoil Police Station,
Avudaiyarkoil, Pudukottai District.
(Crime No.169 of 2019)

...1st Respondent/Complainant

2.Rathesh

...2nd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records connected with the case FIR in Crime No.169 of 2019 on the file of the first respondent and quash the same as illegal.

For Petitioner
For R-1

: Mr.C.Ezhilarasu
: Mr.R.Sivakumar
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.169 of 2019 on the file of the first Respondent.



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2. When the case came up for hearing on 16.11.2022, the learned Additional Public Prosecutor appearing for the first respondent submitted that the investigation in Crime No.169 of 2019 had been completed and Final Report had also been laid before the learned Judicial Magistrate, Aranthangi.

3. The learned Counsel appearing for the Petitioner appearing by way of rejoinder submitted that on his application under Right to Information Act, he came to know that investigation in Crime No.169 of 2019 is not yet completed. Therefore, he disputed the submission of the learned Additional Public Prosecutor. At that stage, this Court had sought remarks from the learned Judicial Magistrate, Aranthangi regarding taking on file the Final Report and adjourned this case to 23.11.2022.

4. Today i.e., 23.11.2022, remarks of the learned Judicial Magistrate, Aranthangi has been received in Letter D.No.3609/2022, dated 23.11.2022. as per remarks offered by the learned Judicial Magistrate, investigation in Crime No.169 of 2019 on the file of the Inspector of Police, Avudaiyarkoil Police Station had been completed and final report laid before the Court of learned Judicial Magistrate, Aranthangi. It was checked and found correct



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and taken on file in STC.No.556 of 2022. it is posted for appearance of the accused A1(Murugeshwari), A2 (John Sathiyaraj), A3(Marimuthu), A4(Dheenathayalan), A5(SAiyathu Japar Usan) by 27.01.2023.

5.Recording the remarks offered by the the learned Judicial Magistrate, Aranthangi, this Criminal Original Petition is closed directing the petitioner to appear before the learned Judicial Magistrate. The petitioner can file appropriate petition under Section 482 of Cr.P.C., as advised. Consequently, the connected Criminal Miscellaneous Petition is also closed.

23.11.2022

Index : Yes/No

Internet:Yes/No

Rmk

To

- 1.The Judicial Magistrate, Aranthangi.
- 2.The Inspector of Police,
Avudaiyarkoil Police Station,
Avudaiyarkoil, Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

Rmk

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23.11.2022