



CrI.O.P(MD)No.19746 of 20

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P(MD).No.19746 of 2022

K.Prabhakaran,

: Petitioner

Vs

The State represented by
The Inspector of Police,
C-5 Karimedu Crime Police Station,
Madurai District.
Crime No. 627 of 2015.

: Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to issue a direction to the respondent police herein to file a charge sheet in Crime No. 627 of 2015, on the file of the Respondent herein against the accused persons within the time stipulated by this court.

For Petitioner : Mr.R.Senthil Kumar

For Respondent : Mr.R.Siva Kumar
Government Advocate (CrI.Side)



ORDER

This criminal original petition had been filed seeking a direction to the respondent police herein to file a charge sheet in Crime No. 627 of 2015, on the file of the Respondent herein against the accused persons.

2.The learned Counsel appearing for the Petitioner submitted that the Petitioner is the defacto complainant he had preferred a complaint before the Respondent, based on which, the FIR in Crime No.627 of 2015, was registered by the Respondent. Till now, no progress is seen. Hence this petition had been filed seeking a direction against the respondent/Inspector of Police to file a charge sheet at the earliest.

3.When the case came up for hearing on 14.11.2022, the learned Government Advocate (Crl.Side) submitted that already investigation has been completed and final report laid before the Court concerned.

4.By way of rejoinder, the learned Counsel appearing for the Petitioner submitted that he had obtained reply through Right to Information Act from the Assistant Commissioner of Police, Madurai City, wherein, it had been stated that charge sheet had been filed as early as on 17.08.2016. Therefore, this



Court had sought for remarks from the learned Judicial Magistrate No.V, Madurai.

5.As per the remarks offered by the learned Judicial Magistrate No.V, Madurai, in letter D.No.1396/2022, dated 21.11.2022, the charge sheet was filed on 19.11.2022 and it had been returned for defects. The Assistant Commissioner of Police, Thilakarthidal, Madurai, is directed to ensure that the defects pointed out by the learned Judicial Magistrate No.V, Madurai, is set right by the Investigation Officer and it is to be numbered, appropriate instructions to be issued to the Investigation Officer to set right the defects as pointed out by the learned Judicial Magistrate No.V, Madurai. The Petitioner is directed to follow it up and approach this Court for appropriate orders.

6.With the above directions, this criminal original petition is disposed of.

22.11.2022

Index :Yes/No
Internet : Yes/No
lr



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Copy to

The Assistant Commissioner of Police,
Thilakarthidial, Madurai.

To

1.The Inspector of Police,
C-5 Karimedu Crime Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

lr

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