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Crl.O.P.No.13492 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.13492 of 2023

M.Sheik Mohammed Ali

... Petitioner

Vs.

The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai -92.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for records with regard to the final report filed in C.C.No.2777 of 2022 on the file of the concerned court and set aside the same and consequently direct the respondent police for further investigation of the case in Crime No.881 of 2021 and file a fresh final report.

For Petitioner : Mr.A.Ramesh Manikandan

For R1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to call for records with regard to the final report filed in C.C.No.2777 of 2022 on the file of the concerned court and set aside the same and consequently direct the respondent police for further investigation of the case in Crime No.881 of 2021 and file a



Crl.O.P.No.13492 of 2023

fresh final report.

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2. The learned counsel appearing for the petitioner submitted that, final report in C.C.No.2777 of 2022 was filed without considering the FIR allegations and the materials produced by the defacto complainant in support of the FIR allegations. Therefore, present petition is filed.

3. The learned Government Advocate (Criminal Side) appearing for the respondents submitted that, if the petitioners are not satisfied with the final report filed, they can only challenge the final report before the concerned Judicial Magistrate and they cannot approach this Court directly seeking further investigation.

4. This Court concurs with the submission of the learned Government Advocate (Crl. Side) and directs the petitioner to approach the concerned Judicial Magistrate challenging the final report filed and for seeking for further investigation.

5. With the above observations and direction, this Criminal Original



Crl.O.P.No.13492 of 2023

Petition is disposed of.

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Internet: Yes

Index: Yes/No

Sma

20.06.2023

To:

1. The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai -92.
2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.13492 of 2023

G.CHANDRASEKHARAN, J.
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Crl.O.P. No.13492 of 2023

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