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CrI.O.P.No.24281of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE **SUNDER MOHAN**

CrI.O.P.No.24281 of 2019

and

CrI.M.P.No.12841 of 2019

A.Radhakrishnan

...Petitioner / 1st Accused

-Vs-

1.State represented by:

The Sub-Inspector of Police,
Tharamangalam Police Station,
Salem.

Crime No.574 of 2018

Complainant

... 1st Respondent /

2.Kaveri

... 2nd Respondent / De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the FIR in Crime No.574 of 2018 on the file of the 1st respondent and to quash the same.

For Petitioner : Mr.R.Marudhachalamurthy

For R1 : Mr.A.Damodaran,

Additional Public Prosecutor.

For R2 : No appearance



Crl.O.P.No.24281of 2019

WEB COPY

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.574 of 2018 on the file of the 1st respondent.

2.The learned Additional Public Prosecutor appearing for the 1st respondent submitted that pursuant to the investigation in Crime No.574 of 2018, the 1st respondent had filed the final report before the Judicial Magistrate, Omalur, on 29.10.2018 and the said final report is yet to be taken on file.

3.Since the investigation is completed and a final report has been filed, the prayer in the present petition has become infructuous. Though it is stated that the final report was filed as early as on 29.10.2018, the learned Judicial Magistrate, Omalur, is yet to take the final report on file. Hence the learned Judicial Magistrate is directed to examine the final report and act in accordance with law, within a period of one month from the date of receipt of a copy of this order. If, the petitioner is aggrieved by any action taken by the learned Judicial Magistrate, it is open for the petitioner to challenge it, if he is advised to do so.



CrI.O.P.No.24281of 2019

WEB COPY

4. With the above observations, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

05.04.2023
(2/2)

smv

Index : Yes/No

Speaking : Yes / No

Neutral Citation : Yes / No

To,

1. The Public Prosecutor,
High Court of Madras.
2. The Judicial Magistrate, Omalur.
3. The Sub-Inspector of Police,
Tharamangalam Police Station,
Salem.



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SUNDER MOHAN,J.
smv

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(2/2)
05.04.2023