



Crl.O.P.(MD)No.2651 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.02.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.2651 of 2023

and

Crl.M.P.(MD)No.2392 of 2023

1.C.Shanmuga Sundara Raja

2.Muthu Prati

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
Eral Police Station,
Thoothukudi District.

2.Paulkani

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in FIR in Crime No.204 of 2022 dated 01.09.2022 pending on the file of the first respondent police as against the petitioners and quash the same.



Crl.O.P.(MD)No.2651 of 2023

For Petitioners : Mr.G.Thalaimutharasu
For R1 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records in FIR in Crime No. 204 of 2022 dated 01.09.2022 pending on the file of the first respondent police as against the petitioners and quash the same.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the first respondent would submit that investigation has already been completed and final report has been filed before the concerned Court as 'Mistake of Fact'. He would further submit that RCS notice was not served on the second respondent/defacto complainant.

3. In view of the above said development, this petition has become infructuous. Hence, this Criminal Original Petition stands dismissed as



Crl.O.P.(MD)No.2651 of 2023

infructuous. Consequently, connected Miscellaneous Petition is closed.

However, the first respondent is directed to serve RCS notice to the second respondent/defacto complainant.

14.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm/lr

To

- 1.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.2651 of 2023

G.ILANGO VAN,J.

csn/lr

Order made in
Crl.O.P.(MD)No.2651 of 2023
and
Crl.M.P.(MD)No.2392 of 2023

Dated: 14.02.2023