



Crl.O.P.(MD) No.12178 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.12178 of 2023

Murali Raj

...Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the respondents to file final report in Crime No.6 of 2014 on the file of the second respondent.

For Petitioner :Mr.S.Sivakumar

For Respondents :Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

This petition is filed seeking direction to the respondents to file final report in Crime No.6 of 2014 on the file of the second respondent.

2.The petitioner is the defacto complainant in this case. On the basis of the complaint given by him a case in Crime No.6 of 2014 has been registered for the offences punishable under sections 294(b), 324 and 506(ii) of IPC r/w 3(1) of TNPPDL Act, against the accused persons. The grievance of the petitioner is that so far no progress has been made.

3.The learned Government Advocate (Crl. side) would submit that investigation has been completed and charge sheet will be filed shortly.

4.On 06.10.2023, after hearing both side counsels, this Court called for a report from the learned Judicial Magistrate No.II, Kuzhithurai, as to whether final report has been presented in this matter.



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5.Today, report has been received from the concerned Court, wherein it is stated that the case has been closed as ' Mistake of Fact' and RCS Notice was also served on the petitioner.

6.At this juncture, the learned counsel appearing for the petitioner would submit that RCS notice was not served on the petitioner/defacto complainant either by the respondent police or by the concerned Court.

7.Recording the submissions made on either sides, the second respondent is directed to serve fresh RCS notice on the petitioner/defacto complainant. If the petitioner is aggrieved over the contents of the final report, he can workout his remedy through the appropriate proceedings.

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

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
VSG

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To

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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