



Crl.O.P.(MD) No.14996 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.14996 of 2022
and Crl.M.P(MD) No.9783 of 2022

Dharma @ Dharma Raj

... Petitioner

Vs

1. The Inspector of Police,
Karuppayurani Police Station,
Madurai District (Crime No. 64 of 2022).

2. Rajapandy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records of FIR in Crime No. 64 of 2022, dated. 20.07.2022 on the file of the R1/Complainant and Quash the same.

For Petitioner : Mr. Jeyaram.A

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

No appearance (R2)



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ORDER

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This Criminal Original Petition had been filed to quash the FIR in Cr.No.64 of 2022 on the file of the Respondent No.1 as against the petitioner.

2.The learned Government Advocate (CrI.Side) would submit that in this case the first respondent has conducted investigation and filed the final report before the Judicial Magistrate No.II, Madurai on 07.01.2023 and the same was not numbered.

3.In this regard, this Court called for a report from the concerned Court as to the stage of the final report. As per the report received from the concerned Court, it is seen that the first respondent has filed the final report through e-filing and due to some mistake, the final report was not taken on file within the stipulated time. Now the same was numbered as P.R.C.No.110 of 2023, after rectifying the defects.

4.In this case, though the name of the second respondent printed in the cause list, none appeared. Without noticing the stay order issued by



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this Court, final report was filed before the first respondent and the same was numbered by the learned Judicial Magistrate No.II, Madurai, since copy of the order was not served. However, now the case was taken on file and it is a matter for trial.

5.At this stage, the learned counsel for the petitioner seeks to expedite the trial process.

6.In view of the limited relief sought for by the petitioner, the learned Judicial Magistrate No.II, Madurai is directed to complete the committal process within a period of one month, from the date of receipt of copy of this order. Thereafter, the trial Court is directed to complete the trial process within a period of five months from the date of commencement of trial.

7.With the above directions, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

04.12.2023

NCC:Yes/No
Internet:Yes/No

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Index: Yes/No

PNM

To

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1. The Judicial Magistrate No.II, Madurai
2. The Inspector of Police,
Karuppayurani Police Station,
Madurai District (Crime No. 64 of 2022).
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J.

PNM

ORDER IN
CrI.O.P.(MD) No.14996 of 2022
and CrI.M.P(MD) No.9783 of 2022

04.12.2023