



*Crl.O.P.(MD) No.17556 of 2023*

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 03.10.2023**

**CORAM:**

**THE HONOURABLE DR.JUSTICE G.ILANGO VAN**

**Crl.O.P.(MD)No.17556 of 2023**

**Rajamurugan**

**... Petitioner / Defacto Complainant**

**Vs.**

State Rep. by  
The Inspector of Police,  
Sivakasi Town Police Station,  
Virudhunagar District.  
(In Crime No.174 of 2017)

**...Respondent / Complainant**

**PRAYER :** Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondent Police to file a final report before the learned Judicial Magistrate No.I, Sivakasi in Crime No.174 of 2017 pending investigation on the file of respondent police.

**For Petitioner :Mr.K.H.Raja Murugan**

**For Respondent :Mr.M.Vaikkam Karunanithi  
Government Advocate (crl.side)**



*Crl.O.P.(MD) No.17556 of 2023*

WEB COPY

## **ORDER**

This criminal original petition has been filed seeking direction to the Respondent Police to file a final report before the learned Judicial Magistrate No.I, Sivakasi in Crime No.174 of 2017 pending investigation on the file of respondent police.

2.The petitioner would submit that he is the defacto complainant in this case. He lodged a complaint before the respondent police. Based on his complaint a case in Crime No.174 of 2017 has been been registered for the offences punishable under Sections 448, 294(b), 323, 506(i) of IPC. The grievance of the petitioner is that though the case was registered in the year 2017, so far no progress in this case.

3.The learned Government Advocate (Crl. Side) would submit that investigation in this case have been completed and final report was filed before the learned Judicial Magistrate, Sivakasi on 19.07.2023 as Mistake of Fact. The RCS notice has also been sent to the defacto complainant.



*Crl.O.P.(MD) No.17556 of 2023*

WEB COPY

4.Since the final report has been filed before the concerned Court as mistake of fact, if the defacto complainant is aggrieved by the same, he can workout his remedy through appropriate proceedings.

5.With the above said liberty, this criminal original petition stands disposed of.

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

**03.10.2023**

TM

To

- 1.The Judicial Magistrate No.I, Sivakasi.
- 2.The Inspector of Police,  
Sivakasi Town Police Station,  
Virudhunagar District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



*Crl.O.P.(MD) No.17556 of 2023*

**G.ILANGOVA. J.**

TM

**Crl.O.P.(MD)No.17556 of 2023**

**03.10.2023**