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Crl.O.P.(MD)No.17342 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17342 of 2023

Rajamurgan

... Petitioner

Vs.

The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(In Crime No.871 of 2018)

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue direction to the respondent police to file a final report before the learned Judicial Magistrate No.II, Sivakasi in Crime No.871 of 2018 pending investigation on the file of the respondent Police.

For petitioner : Mr.K.H.Raja Murugan

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking direction to the respondent police to file a final report before the learned Judicial Magistrate No.II, Sivakasi in Crime No.871 of 2018 pending investigation on the file of the respondent Police.

2.When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondent would submit that the respondent, after completing the investigation, has filed the final report before the Judicial Magistrate No.II, Sivakasi, on 10.08.2013 and the same was closed as 'Mistake of Fact' and RCS notice was served on the petitioner/defacto complainant.

3.The learned counsel appearing for the petitioner would submit that RCS notice was not served on the petitioner/defacto complainant till now.

4. Recording the submissions made on either sides, the respondent is directed to serve RCS notice on the petitioner/defacto complainant and on receipt of the same, the petitioner is at liberty to file a protest petition before the jurisdictional Court.



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WEB COPY

5. With the above direction, this Criminal Original Petition stands disposed of.

12.10.2023

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

vsg

To

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



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