



WEB COPY



CrL.OP.No.18483 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrL.OP.No.18483 of 2024

Iruthayamary

... Petitioner

Vs.

The Inspector of Police,
Central Crime Branch,
Commissioner Office Building,
132, EVK Sampath Road,
Vepery, Periyamet,
Chennai-600 007.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the XV Metropolitan Magistrate Court, George Town to issue a certified copy in copy application SR.No.1088 of 2024 of the first information report in connection with Cr.No.192 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Jayaprakash

For Respondent : Mr.S.Udaya Kumar
Government Advocate (CrL. Side)



CrL.OP.No.18483 of 2024

ORDER

WEB COPY

The petitioner herein is the defacto complainant in Cr.No.192 of 2024 pending on the file of CCB, Chennai. Alleging that the final report in the case was not filed and the original documents relating to the case also found to be missing. He has filed this present petition under Section 482 of Cr.P.C for a direction to the learned XV Metropolitan Magistrate, George Town, Chennai to issue certificate copy of the first information report.

2. The learned counsel appearing for the petitioner submits that when the petitioner filed a copy application to furnish certified copy of the FIR, the same has been returned with an endorsement, “ final report not filed”. Hence, Copy Application had been returned. Again, when he sought for copy of the FIR, the application was returned with an endorsement, “ FIR Copy is not found”. Hence returned.

3. The learned Government Advocate (CrI.Side) submits that on 02.01.2024, final report was filed through e-filing on completion of investigation in Cr.No.192 of 2022. Later, found that the copy of the FIR not available in the Court. The Investigating Officer has filed an application before the learned XV Metropolitan Magistrate, George



CrL.OP.No.18483 of 2024

Town, Chennai requesting to re-construct the records based on the FIR
Copy available in the Station.

4. The learned Government Advocate (Crl.side) further submits that the case in Cr.No.192 of 2022 for offence under Section 406 and 420 of IPC initially registered by H4, Korrukupettai Police Station and later pursuant to the direction of this Hon'ble Court, investigation was transferred to CCB, Chennai on 31.08.2022 after completion of investigation. He further submits that FIR was originally filed before the learned XV Metropolitan Magistrate, George Town, Chennai, final report also filed before the said Court and for onward transfer to the Special Court constituted for trial of cases investigated by CCB.

5. The learned counsel appearing for the petitioners states that till date no record is available either in the XV Metropolitan Magistrate Court, George Town, Chennai or before the designated Court constituted for trial of cases investigated by CCB.

6. Taking note of the facts and the circumstances of the case, this Court directs the respondent police to take necessary action for re-constituting the file and ensure the matter get transferred to the Special Court constituted for trial of cases investigated by CCB and also to follow the representation given to XV Metropolitan Magistrate Court,



CrL.OP.No.18483 of 2024

George Town, Chennai and ensure that the records are reconstituted and get transferred to Special Court constituted for trial of cases investigated by CCB preferably within a period of 30 days from the date of receipt of a copy of this Order.

7. With the above direction, this Criminal Original Petition is disposed of.

02.08.2024

Vv

To

1. The XV Metropolitan Magistrate Court,
George Town ,
2. The The Inspector of Police,
Central Crime Branch,
Commissioner Office Building,
132, EVK Sampath Road,
Vepery, Periyamet,
Chennai-600 007
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrL.OP.No.18483 of 2024

Dr.G.JAYACHANDRAN,J.

Vv

CrL.OP.No.18483 of 2024

02.08.2024