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Criminal Original Petition No.2079 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.2079 of 2024

and

CrI.M.P.No.1489 of 2024

1. S.Arumugam,
S/o.Sengoda Gounder

2. M.Rajkumar,
S/o.Manickkam

3. E.Prakash
S/o.Easwaran

4. K.Madheswaran @ Madhesh,
S/o.Kauda Nadar

5. P.Tamilselvan @ Tamil
S/o.Palaniappan

... Petitioners

Vs.

1. State By,
Inspector of Police,
Magudamchavadi Police Station,
Magudamchavadi,
Salem District.
(Crime No.208 of 2022)

2. Rajammal
W/o. Manickam

... Respondents



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Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the entire records concerned in FIR in Crime No.208 of 2022 on the file of Inspector of Police, Magudamchavadi Police Station, Magudamchavadi, Salem District and quash the same.

For Petitioners : Ms.R.Hemalatha

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor[R1]

ORDER

This petition has been filed seeking to quash the First Information Report in Crime No.208 of 2022 on the file of the first respondent.

2. Heard Ms.R.Hemalatha, learned counsel for petitioners and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that investigation in the case has been completed and final report has been filed before the learned Judicial Magistrate, Sangagiri, on 19.12.2023 and that the learned Magistrate is yet to act upon the final report.



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4. In the light of the above development, the relief as sought for by the petitioner cannot be granted. If, ultimately, the learned Magistrate acts upon the final report and issues summons to the petitioners and the petitioners are aggrieved by the same, it is left open to the petitioners to work out their remedy in accordance with law.

5. There shall be a direction to the learned Judicial Magistrate, Sangagiri, to act upon the final report filed in Crime No.208 of 2022 within a period of four (4) weeks from the date of receipt of a copy of this order.

This Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

08.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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N.ANAND VENKATESH, J.

gm

To

1. The Inspector of Police,
Magudamchavadi Police Station,
Magudamchavadi,
Salem District.
2. The Public Prosecutor,
High Court, Madras.

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