



CRL OP(MD). No.11367 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.11367 of 2024

R.Parthiban

... Petitioner

Vs

1.The Superintendent of Police,
Madurai,
Madurai District.

2.The Inspector of Police,
Melur Town Police Station,
Madurai District.
(Crime No.136 of 2016)

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to file the final report in Crime No.136 of 2016 on the file of the respondent within the stipulated time as fixed by this Court.

For Petitioner : Mr.S.T.Sasidharan Tamilkani

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



CRL OP(MD), No.11367 of 2024

ORDER

WEB COPY

This criminal original petition has been filed seeking a direction to the respondent police to file a final report in Crime No.136 of 2016.

2.The learned Counsel for the petitioner submits that the occurrence has taken place on 16.02.2016. Based on the complaint of the petitioner, the respondent police have registered a case in Crime No.136 of 2016 for the offence under Section 147, 294(b), 341, 342, 323, 324 and 506(ii) of IPC. A counter complaint has also been lodged as against the petitioner herein in Crime No.135 of 2016. However, the respondent police have filed a final report in Crime No.135 of 2016 alone and they have not filed a final report in Crime No.136 of 2016. He further submits that the final report filed in Crime No.135 of 2016 was taken on file in Spl.S.C.No.216 of 2021 and the same is pending. The learned Counsel for the petitioner also submits that the case is registered as case and counter case. While so, the respondent police ought to have conducted the investigation jointly in both the crime numbers as per the Police Standing Order 566. However, they have not complied with the Police Standing Order.



CRL OP(MD), No.11367 of 2024

3.The Government Advocate (Crl. Side) on instructions from the respondent police submits that the investigation in Crime No.136 of 2016 has already been completed on 08.08.2016, however, inadvertently the same was not filed before the learned Judicial Magistrate concerned.

4.Considering the rival submissions made, this Criminal Original Petition is disposed of, with a direction to the respondent police to file a final report in Crime No.136 of 2016, within a period of one week from the date of receipt of a copy of this order. The petitioner shall workout his remedy before the concerned Court in the manner known to law.

24.07.2024

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



WEB COPY



CRL OP(MD), No.11367 of 2024

B.PUGALENDHI,J

jbr

To:

- 1.The Superintendent of Police,
Madurai,
Madurai District.
- 2.The Inspector of Police,
Melur Town Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.11367 of 2024

24.07.2024