



Crl.O.P.(MD)No.16501 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16501 of 2024

Kennath Ruban Sathiyath

... Petitioner

Vs.

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

2.State of Tamil Nadu rep. by
The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
(Crime No.234 of 2023)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent to file a final report in Crime No.234 of
2023 within a time period stipulated by this Court.

For Petitioner : Mr.R.Ponkarthikeyan

For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.16501 of 2024

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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the second respondent to file a final report in Crime No.234 of 2023 within a time period stipulated by this Court.

2. It is seen from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.234 of 2023 on 07.10.2023 for the alleged offences under Sections 447, 294(b), 427, 379 and 109 IPC.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that the second respondent, after completing the investigation, has filed the final report before the jurisdictional Court as 'Mistake of Fact' but he would admit that RCS notice was not served on the petitioner/defacto complainant.



Crl.O.P.(MD)No.16501 of 2024

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4. Recording the same, the second respondent is directed to serve RCS notice on the petitioner/defacto complainant immediately and if final report is not filed, to file the final report before the jurisdictional Court within a period of one week from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition stands disposed of. The petitioner is at liberty to file a protest petition, if so advised.

30.09.2024

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

To

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



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Crl.O.P.(MD)No.16501 of 2024

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.16501 of 2024

Dated: 30.09.2024