



CRL.OP(MD) No.12918 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.12918 of 2024

and Crl.M.P.(MD) No.

M.S.Santhanakumar

... Petitioner

Vs.

The Inspector of Police,
Kadupatti Police Station,
Madurai District.
Crime No. 33 of 2010.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to direct the respondent police to file a final report before the learned District Munsif cum Judicial Magistrate, Vadipatti in Crime No.33 of 2010 pending investigation on the file of respondent police.

For petitioner : Mr.N.Jothivel

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



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ORDER

This petition has been filed by the petitioner to direct the respondent police to file a final report before the learned District Munsif cum Judicial Magistrate, Vadipatti in Crime No.33 of 2010 pending investigation on the file of respondent police.

2. According to the petitioner, he is the defacto complainant and based on his complaint, F.I.R in Crime No.33 of 2010 has been registered for the offences under Sections 447, 448, 489 and 506(I) IPC. Thereafter, no proper investigation has been conducted and so far, not filed the final report. Hence, he has filed this petition.

3. The Government Advocate (Criminal Side) appearing for the respondent police would submit that the complaint was closed as mistake of fact and a report also filed before the learned Judicial Magistrate, Vadipatti. Therefore, nothing survives for further adjudication in this case.

4. Since the prayer of the petitioner is to file the final report and



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already the same was filed as the complaint was closed as mistake of fact,

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it is for the petitioner to take appropriate steps to challenge the final report, if he is aggrieved. In view of the same, preserving the right of the petitioner to challenge the final report in accordance with law, this Criminal Original Petition is closed.

06.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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P.DHANABAL,J

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To

1. The Inspector of Police,
Kadupatti Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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