

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.11022 of 2015

S.Purushothaman

... Petitioner

Vs

1.State of Tamil Nadu,
Rep. By Home Secretary,
Secretariat,
Chennai - 600 009.

2.The Inspector of Police,
Kandhamangalam Police Station,
Villupuram District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent police to conduct further investigation into the matter bearing Crime No.376 of 2013 and to file a final report.

For Petitioner : Mr.Michael Amalraj

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Seeking a direction to the second respondent police to conduct further investigation into the matter bearing Crime No.376 of 2013 and to file a final report, the petitioner is before this Court with this petition.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.It is submitted by the learned Additional Public Prosecutor that the second respondent conducted investigation in Crime No.376 of 2013 and also filed a Referred Charge Sheet (RCS) before the learned Judicial Magistrate No.2, Villupuram. The learned Judicial Magistrate has also accepted the same. However, no RCS notice was served on the defacto complainant.

4.In view of the above, the second respondent is directed to serve RCS notice on the defacto complainant, within a period of two weeks from the date of receipt of a copy of this order. Further, liberty is given to the defacto complainant to approach the learned Judicial Magistrate No.2, Villupuram, to file a protest petition, if he so advised and the same shall be dealt with as per the law laid down by the Hon'ble Supreme Court in Vinay Tyagi v. Irshad Ali (2013 (5) SCC 762).

5.With the above directions, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Judicial Magistrate No.II,
Villupuram.

2.The Home Secretary,
Secretariat,
Chennai - 600 009.

3.The Inspector of Police,
Kandhamangalam Police Station,
Villupuram District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Michael Amalraj, Advocate, S.R.No.30539

Cr1.OP No.11022 of 2015

LRS (CO)
CA(26/06/2015)

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