

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2015

The Hon'ble Mr.Justice P.N.Prakash

CRL.O.P.No.11858 of 2014

and

M.P.No.1 of 2014

Shanmugasundaram

.. Petitioner

Vs.

1. The Commissioner of Police,
Commissioner Office,
Coimbatore.

2. The State rep.by
Inspector of Police,
Pothanur Police Station,
Coimbatore.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to order for denovo/fresh investigation in Cr.No.50 of 2014, by directing any other independent investigation agency by appreciating the facts of the case.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr. C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has filed this Petition, seeking to pass an order for conducting de novo investigation of the case in Cr.No.50 of 2014.

2. Heard the learned counsel appearing for the petitioner and the Additional Public Prosecutor, representing the respondent/Police.

3. It is seen that the Police registered a case in Crime Number 50 of 2014, and after investigation, a final report was filed, wherein, the petitioner has been shown as accused for offence under Section 379 IPC. It is the case of the petitioner that he has been falsely implicated in this case and that the Lorry confiscated in this case, was not the stolen one and it belongs to him lawfully. After the filing of the final report, the learned Judicial Magistrate, No.VII, Coimbatore, has passed a

detailed order, wherein, the Magistrate has stated clearly that the Lorry produced before him neither belongs to the de facto complainant nor to the accused/petitioner. This Court places on record, its deep appreciation to the proactive manner, in which, the Magistrate has dealt with the case.

4. In view of the above, this Criminal Original Petition is closed with liberty to the petitioner to approach the concerned Magistrate, and workout his remedy in the manner known to law. Consequently, connected M.P. is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1. The Commissioner of Police,
Commissioner Office,
Coimbatore.

2. The Inspector of Police,
Pothanur Police Station,
Coimbatore.

3 The Public Prosecutor,
High Court of Madras,
Chennai.

1 cc to Mr.R. Mrudhachalamurthy, Advocate, sr. 20121

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SSI (CO)
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