

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.03.2015

CORAM

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

CrI.O.P.No.2097 of 2015

P.Rajendran

.. Petitioner

vs.

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

2. The Inspector of Police,
Sendurai Police Station,
Sendurai,
Ariyalur District.
(Crime No.257 of 2013)

.. Respondents

Criminal Original Petition filed under section 482 of Criminal Procedure Code praying to direct the 2nd respondent to investigate the case in Crime No.257 of 2013 by including the proper and necessary accused and file final report within time framed fixed by this Court under the direct supervision of the 1st respondent.

For Petitioner : Mr.S.Kaithamalaikumaran

For Respondents: Mr.M.Maharaja
Addl. Public Prosecutor for R1

ORDER

This petition has been filed seeking for a direction, directing the 2nd respondent to investigate the case in Crime No.257 of 2013 by including the proper and necessary accused and file final report within time framed fixed by this Court under the direct supervision of the 1st respondent.

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 counsel for the petitioner that though the 2nd respondent police filed a status report stating that a detailed report stating that 'charge abated' was filed before the learned Judicial Magistrate, Ariyalur on 18.03.2014, no report

has been made available in the Magistrate Court and therefore, suitable direction may be given to the respondent police to investigate the matter and file the charge sheet.

4.It is submitted by the learned Additional Public Prosecutor that "charge abated" report was filed before the learned Judicial Magistrate on 18.03.2014 and it was not taken on file and the 2nd respondent will move the Magistrate to take the report on file and the petitioner may be permitted to file protest petition, if he aggrieved the same.

5. Recording the submission of the learned Additional Public Prosecutor that final report has been filed before the learned Judicial Magistrate, Ariyalur on 18.03.2014 stating that "charge abated" as the deceased was responsible for the accident, it is open to the petitioner to approach the learned Judicial Magistrate, Ariyalur to file protest petition within a period of two weeks from the date of receipt of a copy of this order and the learned Judicial Magistrate, Ariyalur is directed to dispose of the protest petition in the manner known to law.

6. With the above direction, this Criminal Original Petition is disposed of.

vsm

-s/d-
Assistant Registrar(CS-II)
Dt:1/4/2015

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Ariyalur.
2. The Superintendent of Police,
Ariyalur District, Ariyalur.
3. The Inspector of Police,
Sendurai Police Station,
Sendurai, Ariyalur District.
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.A.KKumarasamy, Advocate SR 16412

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prk6/4

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