

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.7734 of 2015

Marisamy

..Petitioner

Vs

1.State rep by  
The Superintendent of Police  
Nilgiris District.

2.The Inspector of Police  
G1, Nilgiris West Town Police Station  
Nilgiris District.  
(Cr.No.105/2013)

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the first respondent police to appoint new investigation officer in Cr.No.105 of 2013 and order for re-investigation and framing new charges against the accused.

For Petitioners : Mr.M.Velmurugan  
For Respondents : Mr.C.Emalias  
Additional Public Prosecutor

ORDER

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

2. The learned Additional Public Prosecutor submits that a case in Cr.No.105 of 2013 was investigated by the respondent police and Final Report has been filed before the learned Judicial Magistrate, Ooty and the same has been taken on file as PRC No.31 of 2014.

3. Under such circumstances, liberty is given to the petitioner to file a protest application before the learned Judicial Magistrate, Ooty and raise all the points which he seeks to raise before this Court, with regard to the perfunctory manner in which the investigation is said to have been conducted. The learned Magistrate shall consider the protest application in the light of the judgment

of the Supreme Court in Vinay Tyagi vs. Irshad Ali @ Deepak and others [(2013) 5 SCC 762] and pass appropriate orders within a period of four weeks from the date of filing of the protest petition.

Accordingly, this petition is disposed of.

-s/d-  
Assistant Registrar( )

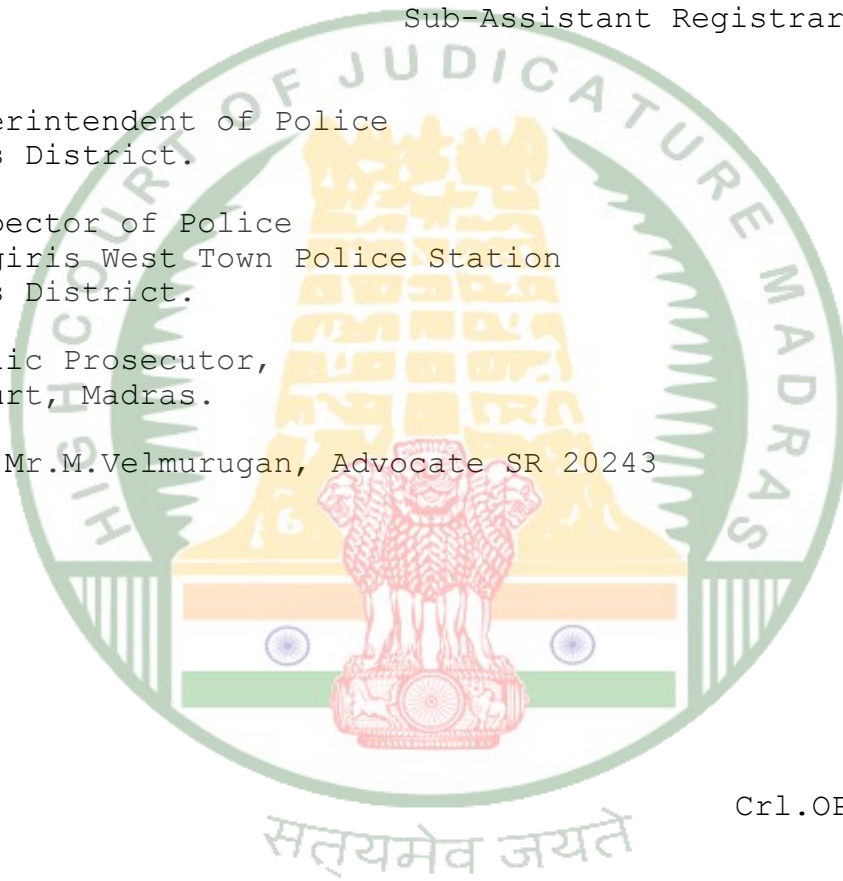
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Sub-Assistant Registrar

To

- 1.The Superintendent of Police  
Nilgiris District.
  - 2.The Inspector of Police  
G1, Nilgiris West Town Police Station  
Nilgiris District.
  - 3.The Public Prosecutor,  
High Court, Madras.
- + 1 cc to Mr.M.Velmurugan, Advocate SR 20243

rj(co)  
prk21/4



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