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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.01.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P.(MD)No.10351 of 2014

and

M.P(MD)No.1 of 2014

Veeramani

.. Petitioner

.. Vs ..

1.The State rep. by
The Superintendent of Police,
Pudukkottai District.

2.The Deputy Superintendent of Police,
Aranthangi Sub-Division,
Pudukkottai District.
(Crime No.150 of 2013)

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the respondents to further investigate the case in Aranthangi PS Crime No.150 of 2013 regarding the vehicle bearing Reg. No.TN 55 AZ 2082 which is mentioned in the complaint itself and file a report before the Honourable Principal Sessions Judge, Pudukkottai.

For Petitioner : Mr.K.Baalasundharam

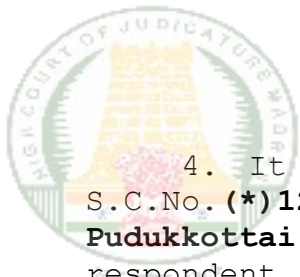
For Respondents : Mr.K.V.Rararajan
Government Advocate(Crl. Side)

ORDER

This petition has been filed under Section 482 Cr.P.C., praying to direct the respondents to further investigate the case in Crime No.150 of 2013 on the file of the Aranthangi Police Station and file a report regarding the vehicle bearing Registration No.TN 55 AZ 2082 before the Honourable Principal Sessions Judge, Pudukkottai.

2.Heard the learned counsel for the petitioner and also the learned Government Advocate(Crl. Side) for the respondents.

3.The case of the petitioner is that based on the complaint given by him the case in Crime No.150 of 2013 was registered on the file of the second respondent police for the offences under Sections 147, 148, 120(b), 323, 324, 427, 506(ii), 379 I.P.C and also under Section 3(1)(X) of SC/ST Act. Pursuant to the investigation therein, a charge sheet has been filed informing the commission of offences under Sections 147, 148, 294(b), 323, 324, 506(ii), 109 I.P.C r/w Section 3(1)(X) SC/ST(POA) Act, 1989. Though the complaint of the petitioner informs of a two wheeler belonging to the petitioner having gone missing in the course of the occurrence and the case stands registered for an offence also under Section 379 I.P.C, such offence is not informed in the charge sheet. A perusal of the charge sheet does not inform any reason for not doing so.



4. It is seen that after committal, the case is now pending in S.C.No. **(*)120** of 2013 before the Principal Sessions Court, **(*) Pudukkottai**. In such circumstances, this Court directs the second respondent to conduct further investigation and file further report, within a period of one month from the date of receipt of a copy of this order. Further, the case in S.C.No. **(*)120** of 2013 on the file of the Principal Sessions Court, **(*) Pudukkottai**, shall be stayed pending such report. Upon receipt of such report, the trial may be proceeded with further.

5. The above order is not to be read as indicative of a finding of commission of offence under Section 379 of I.P.C. Such is a matter for the investigation to ascertain.

With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

08.01.2015

**(*)Correct as per order of this Court
dated 12.02.2015 made in CrI.OP(MD)No.10351/2014**

Sd/-

Assistant Registrar(Per Admn.)

/TRUE COPY/

Sub Assistant Registrar

To

To be substituted to the order already despatched on 30.01.2015.

- 1.The Principal Sessions Court,
Pudukkottai.
- 2.The Superintendent of Police,
Pudukkottai District.
- 3.The Deputy Superintendent of Police,
Aranthangi Sub-Division,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court
Madurai.

+1cc to Mr.K.Baalasundharam, Advocate, SR.No. **6600**

CRL.O.P. (MD) No.10351 of 2014
08.01.2015

PM

PA/30.01.15/2P/7C

PA/12.02.15/2P/7C(IT)

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