



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.14177 of 2016
and CRL MP(MD).6624 of 2016

Ramamoorthy

... Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli Taluk,
Tirunelveli District.

2. The Inspector of Police,
Thiruvengadam Police Station,
Tirunelveli District.

... Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the first respondent herein to appoint some other Investigating Officer to conduct further investigation in PRC NO. 15/2016 on the file of the learned Judicial Magistrate Sankarankovil Tirunelveli District in Crime NO. 135 of 2016 on the file of the 2nd Respondent herein on the basis of petitioner s representation dated 22.07.2016.

For Petitioner : Mr.M.Palaniraja

For Respondents : Mrs.S.Prabha
Government Advocate

O R D E R

This petition is filed seeking a direction to the first respondent to appoint some other Investigating Officer to conduct further investigation in P.R.C.No.15 of 2016 on the file of the learned Judicial Magistrate Sankarankovil ,Tirunelveli District in Crime NO. 135 of 2016 on the file of the 2nd Respondent herein.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.

3. Mr.M.Palaniraja,learned counsel appearing for the petitioner would submit that the petitioner and his mother were ~~seized~~ ^{seized} by the accused on 27.08.2015 and the second respondent, even without recovering the weapons, have filed the charge sheet. Aggrieved over the action of the second respondent,



the petitioner sent a representation to the first respondent on 22.07.2016. Since it was not favourably considered, the present Criminal Original Petition is filed.

4. The learned Government Advocate (Crl.side) would submit that based on the complaint of the petitioner, the second respondent registered a case in Crime No.135 of 2016 and after completion of investigation, filed charge sheet including the offence under Section 307 IPC and investigation was done properly and according to law and therefore, this petition has to be dismissed.

5. Considering the rival submissions and after going through the records, this Court is of the opinion that the representation of the petitioner may be considered by the first respondent.

6. In such view of the matter, the first respondent shall consider the representation of the petitioner dated 22.07.2016 and take a decision on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.

7. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected C.M.P.No.6624 of 2016 is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To:

1. 1. The Superintendent of Police,
Tirunelveli Taluk,
Tirunelveli District.

2. The Inspector of Police,
Thiruvengadam Police Station,
Tirunelveli District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.K.M.Karunakaran, Advocate SR.No.52692

CM

sm:SKS-RR:22/09/2016:2P/5C

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