



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.4115 of 2016

Selvaraj

: Petitioner

Versus

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

2.The Inspector of Police, (Crime)
Srivilliputhur Town Police Station,
Srivilliputhur, Virudhunagar District.
In Crime No.747 of 2015

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the first respondent to issue necessary direction to the second respondent Police to effect the arrest of the first accused in Crime No.747 of 2015 pending on the file of the second respondent Police within the time bound stipulated by this Court.

For Petitioner : M/s.K.Kannan

For Respondents : Mrs.S.Prabha

Government Advocate (Crl.side)

O R D E R

This petition has been filed for a direction to the first respondent to issue necessary direction to the second respondent Police to effect the arrest of the first accused in Crime No.747 of 2015 pending on the file of the second respondent Police.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that Veeraiya, S/o.Ramaiah Thevar (A1) was arrested by the police on 20.11.2015 and was later released on bail. That apart, this Court cannot issue a direction to the respondent police to arrest any accused, because that falls within the domain of investigation as held by the Supreme Court in **Johinder Kumar vs. State of Uttar Pradesh** reported in **1994 (4) SCC 260**. Hence, this petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/



To

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

2. The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur, Virudhunagar District.

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

sm:SKS-RR:24.3.2016:2P/4c

Order made in

Cr1.O.P. (MD) No.4115 of 2016