

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No. 47 of 2017
and CrI.M.P. No. 43 of 2017

Ranjitham

.. Petitioner/Defacto Complainant

Vs.

The Sub Inspector of Police,
All Women Police Station (East)
Coimbatore.
(Crime No.08 of 2013)

..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent police to conduct further investigation in terms of Sec.173 (8) CrI.)C in SC. No.75 of 2016 in connection with Crime No.08 of 2013 pending on the file of the respondent.

For Petitioner : M/s.R.Marudhachalamurthy
For Respondent : Mr.C.Iyyappa Raj, APP

ORDER

The prayer sought for in the present petition is to direct the respondent police to conduct further investigation in terms of Sec. 173 (8) Cr.P.C in SC. No.75 of 2016 in connection with Crime No.08 of 2013 pending on the file of the respondent.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

3. The petitioner seeks for further investigation under Section 173(8) Cr.P.C, since the letter of the deceased implicating all the family members of her husband has not been considered during the time of investigation. The case is now posted for trial and at this belated stage it would not be appropriate for this Court to order for further investigation. If at all the petitioner has any grievance that, other family members are also involved in the crime, it is always open to the petitioner to let in the appropriate evidences in this regard.

4. Under Section 319 Cr.PC, the learned trial judge is empowered to take cognizance of involvement of persons other than those who are named in the FIR. Hence, I do not find any reasons as to why the further investigation should be ordered.

5. In view of the limited grievance of the petitioner and in the background the powers vested on the trial Court under Section 319 of Cr.P.C, this Criminal Original Petition is disposed of with the direction to the learned Mahila Court, Coimbatore to let in the evidences and oral evidences. If the trial Court is appraised of the of the fact that the persons who are not named in the charge sheet could have committed the offence, then such persons shall also be brought together with the accused for the offences.

The Connected Miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Judge,
Additional Mahila Court,
Coimbatore
 2. The Sub Inspector of Police,
All Women Police Station (East)
Coimbatore.
 3. The Public Prosecutor,
High Court, Madras.
- +1 Cc to Mr.R. Marudhachalamurthy, Advocate sr 79041.

CRL.O.P.No.47 of 2017

SV(CO)
SP(27/11/2017)