



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2017

CORAM

THE HON'BLE MR. JUSTICE G. CHOCKALINGAM

Crl.O.P.(MD) No.1084 of 2017

WEB COPY

Ramalashumi

: Petitioner/Accused

-vs-

State through Sub Inspector of Police,
Kana. Vilakku Police Station,
Theni.

: Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to reopen the investigation in Crime No.62 of 2012 on his file and further investigation the case based on the representation, dated 25.06.2016 and to file final report and pass any such or other orders.

For Petitioner : Mr.KR.Singaravadivel

For Respondent : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the respondent to reopen the investigation in Crime No.62 of 2012 and further investigation the case, based on the representation, dated 25.06.2016 and to file final report.

2.The learned counsel for the petitioner would submit that the case filed in Crime No.62 of 2012 was filed by the respondent as undetected and hence, the case has to be reopened for further investigation.

3.The learned Government Advocate (Criminal side) would submit that the after proper investigation, the case was closed as undetectable and RCS Notice was also served to the petitioner in RCS No.3 of 2016, dated 05.07.2016 through court and the petitioner has not filed any objection before the court concerned and filed the present petition, which is not maintainable in law.

4.Heard both sides and perused the materials available on record.

5.It is seen from the records that after conducting proper investigation, the respondent police has filed a final report before the District Munsif-cum-Judicial Magistrate, Anndipatti and RCS Notice was also served to the petitioner. The petitioner, without filing



any objection to the RCS Notice, has come forward with this petition seeking to reopen the case, which is not at all maintainable in law. Hence, the relief sought for by the petitioner cannot be granted.

6. In the result, this petition is disposed of with a direction to the respondent to reopen the case, in the event of getting any prime material in future and investigate the case, in accordance with law.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To:

1. The Sub Inspector of Police,
Kana. Vilakku Police Station,
Theni.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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