

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.09.2017****CORAM****THE HON'BLE MR.JUSTICE M.V.MURALIDARAN****Cr1.O.P. (MD) No.13137 of 2017**

R.Abraham

... Petitioner/Defacto Complainant

-Vs-

The State Rep. by
The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
(Crime No.102 of 2016)

... Respondent/Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, praying to direct the Respondent Police viz., the Inspector of Police, Kurumbur Police Station, Thoothukudi District to expedite and conclude the further proceedings with regard to reinvestigation as well as filing of necessary additional charge sheet in connection with Crime No.102 of 2016 on his file in pursuance of the direction as made in the official memorandum of the learned Judicial Magistrate, Srivaikundam under Reference D.No.1295/2017 dated 14.03.2017 forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondent : Mr.K.Anbarasan,
Government Advocate (Cr1.side)

O R D E R

This Criminal Original petition has been filed seeking a direction to the Respondent Police to expedite and conclude the further proceedings with regard to reinvestigation as well as filing of necessary additional charge sheet in connection with Crime No.102 of 2016 in pursuance of the direction as made in the official memorandum of the learned Judicial Magistrate, Srivaikundam under Reference D.No.1295/2017 dated 14.03.2017 forthwith.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.



3.The petitioner has filed protest application under Section 173(8) Cr.P.C., in which the learned Judicial Magistrate, Srivaikundam has directed the respondent police to conduct reinvestigation and to file additional charge sheet.

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4.When the matter came up for hearing, the learned Government Advocate (Criminal side) on instruction submitted that pursuant to the order of the learned Judicial Magistrate, Srivaikundam further investigation was conducted in Crime No.102 of 2016 and an additional charge sheet was filed as mistake of fact before the learned Magistrate on 28.07.2017.

5.Recording the same, this Criminal Original petition is dismissed.

Sd/-

Assistant Registrar(vacation officer)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Srivaikundam.

2.The chief Judicial Magistrate, Thoothukudi.

3.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

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

+1cc to Mr.S.Palani Velayutham, Advocate Sr.No.81312

SJ

VB/KK/SAR1/05/10/2017/2P/6C

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