

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.07.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Cr1.R.C.(MD) No.501 of 2015****and****M.P(MD)No.1 of 2015**

N.Subburaj

... Petitioner

Vs.

The Inspector of Police,
Thevaram Police Station,
Uthamapalayam Taluk,
Theni District.
(Crime No.39 of 2012)

... Respondent

Petition filed under Sections 397 read with 401 Cr.P.C, to call for the records pertaining to the order in Cr.M.P.No.914 of 2013 in C.C.No.183 of 2012 on the file of the District Munsif cum Judicial Magistrate Court, Bodinayakkannoor, Theni District in Crime No.39 of 2012 on the file of the respondent police station dated 07.08.2015 and set aside the same.

For Petitioner : Mr.I.Pinaygash,
for Mr.T.Lajapathi Roy.

For Respondent : Mr.C.Mayilvahana Rajendran,
Additional Public Prosecutor.

ORDER

The petitioner being the defacto complainant filed an application under Section 173(8) of Cr.P.C., seeking a direction for further investigation. The Court below has dismissed the application. Challenging the same, the present Criminal Revision Case has been filed.

2.In view of the Full Bench decision of this Court in Chinnathambi @ Subramani Vs.State Rep by The Inspector of Police, Tirupur District (Full Bench), the petition filed for further investigation by the defacto complainant is not maintainable and therefore, the same is liable to be dismissed.



3. In fine, this Criminal Revision Case is dismissed giving liberty to the petitioner to work out his remedies in the manner known to law. Consequently, M.P(MD)No.1 of 2015 is closed.

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Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Thevaram Police Station,
Uthamapalayam Taluk,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. T.LAJAPATHI ROY, Advocate, SR.No.63900.

CrI.R.C.(MD) No.501 of 2015
and

M.P(MD)No.1 of 2015
06.07.2017

sms

SDS/SKN:RSK/SAR 4/18.07.2017/2P/5C