



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH**Cr1.O.P.(MD) No.5334 of 2017**

WEB COPY

Muthukoori

... Petitioner

-vs-

1. The State Rep. by
The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mudhukulathur, Ramanathapuram District.
3. The Inspector of Police,
Kadaladi Town Police,
Kadaladi, Ramanathapuram District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Respondents to file Alteration Report by adding Marimuthu S/o.Muniyasamy and Vinayagamoorthis S/o.Sathasivam as Accused in Crime No.46 of 2017 on the file of the 3rd Respondent Police based on the Petitioners Representation dated 07.04.2017.

For Petitioner : Mr.S.Karthick Subramanian
For Respondents : Mr.T.Mohan
Addl. Public Prosecutor

ORDER

This petition has been filed to direct the respondents to file Alteration Report by adding Marimuthu, S/o.Muniyasamy and Vinayagamoorthis, S/o.Sathasivam as accused in Crime No.46 of 2017 on the file of the 3rd Respondent Police based on the petitioner's representation dated 07.04.2017.

2. On the complaint lodged by the petitioner, the respondent police registered a case in Crime No.46 of 2017 on 30.03.2017 for offences under Sections 147, 148, 294(b), 323, 324 and 506(2) IPC against one Kumaran and 5 others. While so, it is the contention of the petitioner that two other persons, namely, Marimuthu, S/o.Muniyasamy and Vinayagamoorthis, S/o.Sathasivam, are also involved in this case, whose names have been left out in the FIR and therefore, the petitioner has filed the present petition with the above prayer.



3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

4. In the considered opinion of this Court, no such direction as prayed for by the petitioner can be issued under Section 482 Cr.P.C., as the manner of investigation is the exclusive domain of the Police and this Court cannot step into the shoes of the Investigating Officers and issue such direction. However, learned Additional Public Prosecutor submitted that the investigation in Crime No.46 of 2017 has been completed and a charge sheet has been filed on 01.05.2017 before the learned Judicial Magistrate, Muthukulathur, but the same has not been taken on file.

5. In view of the above, this petition is closed with further direction to the learned Judicial Magistrate, Muthukulathur to pass appropriate orders in the charge sheet in Kadaladi Police Station Crime No.46 of 2017, if not already passed, within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate, Muthukulathur.
2. The Chief Judicial Magistrate, Ramanathapuram.
3. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.
4. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mudhukulathur, Ramanathapuram District.
5. The Inspector of Police,
Kadaladi Town Police,
Kadaladi, Ramanathapuram District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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PSM/RSK/SAR4/09.06.2017/2P/7C

CrI.O.P. (MD) No.5334 of 2017

05.06.2017