



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.379 of 2017
and
Cr1.M.P(MD) No.3648 of 2017

S.Thavamani

... Petitioner

Vs.

1. Balaguru
The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Pudukottai Division,
Pudukottai District.

2. Abdul Muthaliff,
The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Kottaipattinam Division,
Pudukottai District.

Presently working as
The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Alangudi Division,
Pudukottai District.

3. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Kottaipattinam Division,
Pudukottai District.

... Respondents

(R-3 impleaded as per order of this Court
dated 19.06.2017 made in Cr1.M.P(MD) No.5006 of 2017)

Petition filed under Sections 397 read with 401 Cr.P.C, to
call for the records pertaining to the order in unnumbered Cr.M.P.No
of 2017 dated 16.03.2017 passed by the learned Judicial Magistrate
Court, Pudukottai in Crime No.148 of 2015 on the file of the
Kantharvakottai Police Station and set aside the same.

For Petitioner
For R - 3

: Mr.T.Lajapathi Roy
: Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor
: No Appearance

For R1 & R2

**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 order passed by the Full Bench 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. Consequently, CrI.M.P(MD)No.3648 of 2017 is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Pudukottai.
 2. The Additional District Judge, Pudukkottai.
 3. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Kottaipattinam Division,
Pudukottai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- + 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 64344

MJ

TE/KKR/SAR-IV : 13/07/2017 : 2P/6C

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CrI.M.P(MD)No.3648 of 2017
06.07.2017