

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46875 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of respondent No.3 in not carrying out investigation in proper perspective and effective investigation in Crime No.48 of 2013 in accordance with the provisions of the Criminal Procedure Code and the Indian Penal Code as illegal and arbitrary and consequently, direct the respondents to carry out the investigation in accordance with the provisions of the Criminal Procedure Code and the Indian Penal Code.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Sections 447 and 324 read with 34 I.P.C. and Section 3(1)(iv)(xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. Considering the facts and circumstances of the case, this Court is of the view that the writ petition is not maintainable since charge sheet was already filed. If the petitioner has any grievance regarding filing of the charge sheet, he can approach the trial Court and file a discharge application.
5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

6. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

3.1.2017
AMD



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Date: 3.1.2017

AMD