

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.10.2018
CORAM
THE HONOURABLE MR.JUSTICE P.N.PRAKASH
Crl.O.P No.6878 of 2017
and
CRL.M.P.No.5008 of 2017

G.Jegadeesan .. Petitioner

..Vs..

1. The Superintendent of Police,
Kancheepuram District.
2. The Inspector of Police,
Koovathur Police Station,
Kancheepuram District,
Crime No.267 of 2015 ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to reinvestigate the case in Crime No.267 of 2015 on the file of the second respondent.

For Petitioner : Mr.N.C.Ashok Kumar
For Respondents : Mrs.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to reinvestigate the case in Crime No.267 of 2015 on the file of the 2nd respondent.

2. On the complaint lodged by the petitioner, the respondent police registered a case in Crime No.267 of 2015 and after completing the investigation filed Charge Sheet in P.R.C.No.8 of 2017, before the District Munsif cum Judicial Magistrate, Thirukalukundram for the offences punishable under Sections 147, 148, 294 (b), 307 and 149 I.P.C. against Parthiban and five others. Whiles, the petitioner has filed the present petition for the above prayer on the ground that there is no proper investigation on the case.

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

4. It is seen that on the complaint given by one RamaDevi, wife of Murugan, a case in Crime No.268 of 2015, was registered against the petitioner and others. After completing the investigation ,charge sheet in C.C.No.03 of 2016 was filed before the District Munsif cum Judicial Magistrate,Thirukalukundram for the offences punishable under Sections 147 ,148, 452, 294(b), 323, 352, 506(i), 427 I.P.C. r/w Section 4 Women Harassment Act.

5. The learned counsel for the petitioner submitted that Murugan and two others filed Crl.O.P.Nos.26765 of 2015 for bail before this Court and during the pendency of the bail application, it is represented by the learned Government Advocate that investigation has been completed and charge sheet has been filed on 07.10.2015. But, when the petitioner made copy application, the

court rejected the same on the ground that there is no charge sheet filed. Therefore, the learned counsel for the petitioner submitted that police had misrepresented to the Court.

6. It is common knowledge that when a charge sheet is filed, it will not be taken on file by the learned Magistrate immediately and the respondent police will be called upon to comply with certain defects found therein, which, in the opinion of this Court cannot be a reason to order re-investigation of the case.

7. Accordingly, this petition is dismissed as being devoid of merits.

03.10.2018

Internet : Yes/No

Index : Yes/No

Speaking / Non-speaking order

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P.N.PRAKASH,J,

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To

1. The Superintendent of Police,
Kancheepuram District.

2. The Inspector of Police,
Koovathur Police Station,
Kancheepuram District
Crime No.267 of 2015

3.The Public Prosecutor,
High Court, Madras.

4.District Munsif cum Judicial Magistrate
Thirukalukundram

Crl.OP No.6878 of 2017

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