

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.24299 of 2017

S.Revathi

..Petitioner/Defacto Complainant

Vs.

The State of Tamil Nadu,
Rep. by Inspector of Police,
T-1 Ambattur Police Station,
Chennai 600 053.

..Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondent police to conduct further investigation by examining all the eye witnesses and file a complete final report in Crime No.482 of 2013 on the file of the Inspector of Police, T-1, Ambattur Police Station, Chennai 600 053.

For Petitioner : Mr.S.M.Muralidharan

For Respondent : Ms.M.Prabhavathi,
Additional Public Prosecutor

O R D E R

The petitioner is the de-facto complainant in S.C.No.22 of 2016 wherein 6 accused are facing trial for the offences under Sections 294 (b), 506 (1) and Section 3 (1) of TNPPDL Act. While so, the petitioner has filed the present petition for further investigation.

2.Heard Mr.S.M.Muralidharan, learned counsel for the petitioner and Ms.M.Prabhavathi, learned Additional Public Prosecutor for the respondent.

3.Mr.S.M.Muralidharan submitted that the petitioner obtained a certified copy of the charge sheet and found that the investigation had been very perfunctory and therefore, she has been constrained to seek further investigation.

4.In the light of the recent judgment of the Hon'ble Supreme Court, in Athul Rao Vs. State of Karnataka 2017 (4) SCC 177 prayer for further investigation by the de-facto complainant cannot be sought in a pending trial.

5.Hence, this petition is closed. If during the course of evidence, the evidence relating to serious offences are faced, it is open to the Trial Court to alter the charges.

Gsa

Sd/-
Assistant Registrar(CS IX)

//True Copy//

To Sub Assistant Registrar

1.The Inspector of Police,
T-1 Ambattur Police Station,
Chennai 600 053.

2.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.S.M.Muralidharan, Advocate SR.NO.68584

KR/24/10/18

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