



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.(MD).No.15072 of 2014

and

M.P.(MD) No.1 of 2014

A.Suriyan

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.State rep. By
The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
(in Crime No.394 of 2013)

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records of the order in Cr.M.P.No.5170 of 2014 dated 18.07.2014 passed by the learned Judicial Magistrate, Tiruchendur, Thoothukudi District and set aside the same as illegal and consequently, direct him not to monitor the investigation of the case in Crime No.394 of 2013 on the file of the second respondent.

For Petitioner : Mr.C.Arul Vadivel @ Sekar

For Respondents: Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (CrI.side)

O R D E R

This petition is filed against the order passed by the learned Judicial Magistrate, Tiruchendur, Thoothukudi District, in Cr.M.P.No.5170 of 2014 dated 18.07.2014 and quash the same.

2.It is seen from records that the petitioner has filed a petition, in Cr.M.P.No.5170 of 2014 to monitor the investigation being conducted by the respondent/police, before the learned Judicial Magistrate, Tiruchendur, Thoothukudi District. The learned Judicial Magistrate has dismissed the petition on



18.07.2014 on the ground that the investigation has already been conducted by the second respondent and the same was closed as civil in nature. Hence, the question of monitoring the investigation does not arise.

3. This Court finds that no irregularity and no infirmity in the order passed by the learned Judicial Magistrate, Tiruchendur, Thoothukudi District. Therefore, this Court is not inclined to entertain this petition. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS-III)

To

1. The Judicial Magistrate, Tiruchendur,
Thoothukudi District.

2. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

3. The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.C.ARUL VADIVEL @ SEKAR, ADVOCATE IN SR NO.87062

RMK

BU/PM/SAR-III : 26.10.2018 : 2P/6C

Cr1.O.P. (MD) .No.15072 of 2014
and

M.P. (MD) No.1 of 2014
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