



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.14469 of 2017

Sahabudeen

: Petitioner

Vs.

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

2.The Inspector of Police,
District Crime Branch,
Ramanathapuram
Ramanathapuram District.

3.Suriya Prabha

4.Ameerullan

(R3 and R4 impleaded as per order of this Court
made in Cr1.M.P.(MD)No.10103 of 2017 in
Cr1.O.P.(MD)No.14469 of 2017,
dated 29.11.2017)

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondents to include the concern Document Writer, the Sub-Registrar of Velipattinam Sub-Registrar Office and other officials as accused into the pending criminal case in Crime No.16/2016 on the file of the second respondent.

For Petitioner : Mr.R.Gowrishankar
For R-1 and R-2 : Ms.Bharathi
Government Advocate
For R-3 : Mr.G.Mohan Kumar
For R-4 : Ms.S.Anusha

O R D E R

The present Criminal Original Petition has been filed for a direction to the respondent police to include certain persons as accused in the pending case in Crime No.16 of 2016.

2.The learned Government Advocate would submit that the police have investigated and have already filed a final report before the learned Judicial Magistrate, Ramanathapuram. The police while filing the final report have not added the Document Writer as an accused, since the police did not find any material against him.



3.The petitioner can always in the course of evidence clearly state before the Court as to who were all involved in the crime. The Court has been given very wide powers under Section 319 of Cr.P.C., to add any person as an accused, based on the materials collected in the course of enquiry or trial. Therefore, the petitioner has not lost his right to add any one as accused in this case. It all depends on the evidence placed before the Court, in the course of trial which will entitle the Court to add any person as an accused in this case.

4.In view of the above, no further orders are required to be passed in this Criminal Original Petition. Accordingly, this Criminal Original Petition is disposed of.

Sd/

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar(CS-II)

To

1.The Judicial Magistrate,
Ramanathapuram.

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

3.The Inspector of Police,
District Crime Branch,
Ramanathapuram
Ramanathapuram District.

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

+1cc to Mr.R.Gowrishankar, Advocate, SR.No.87273

+1cc to Mr.G.Mohan Kumar, Advocate, SR.No. 87257

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