



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.6283 of 2016

WEB COPY

SP.D.Karuppaiah : Petitioner/Defacto Complainant
Vs.

1.Director General of Police,
O/o.The Director General of Police,
Dr.Radhakrishnan Road,
Chennai.

2.Additional Director General of Police (CBCID),
O/o.The Additional Director General of Police, (CBCID)
Chennai.

3.State through
The Inspector of Police,
Karaikudi South Police Station,
Karaikudi.

4.Niramala
5.Shanmugasundaram
6.Lenin
7.Ravindran
8.Kittu
9.Selvam
10.Shanmugavel
11.Khalimuthu
12.Nirosa
13.Rasaiah
14.Anbu @ Anbalagan
15.Thavamani
16.Ganesan
17.Thirugnanasambantham
18.Krishnakumari
19.Rajasekar
20.Meiyaappan
21.Rathinavel
22.Vellaichamy
23.Selvam

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of
<https://hcservices.ecourts.gov.in/hcservices/>
Cr.P.C. to direct the respondent No.2 to reinvestigate the case in
C.C.No.85 of 2015 on the file of the learned Judicial Magistrate
Court, Karaikudi in Crime No.381 of 2014 on the file of the



respondent No.3 and include the respondents No.6 to 23 as accused persons in the said case.

For Petitioner

: Mr.R.Alagumani

For R1 to R3

:Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]

For R4, R5 and R9

:Mr.Rs.Sundar Srinivasan

For R13, R14 and
R16 and R21.

:Mr.V.K.Saravanan

For R6 to R8,R11
R10, R12, R15, R17 to R20
and R22, R23.

: No Appearance

ORDER

This Criminal Original Petition has been filed for a direction to include the certain persons as accused in C.C.No.85 of 2015, which is pending on the file of the learned Judicial Magistrate, Karaikudi.

2.The learned counsel for the petitioner submits that totally 23 persons are involved in this case. However, the respondent police has filed a final report only as against these persons and rest of them have been left out.

3.In the considered view of this Court, this Court need not exercise its jurisdiction under Section 482 Cr.P.C for this purpose. During the course of enquiry or trial, if the court below finds that other persons are also involved in the crime, it can always include them as accused in exercise of its power under Section 319 Cr.P.C. Therefore, it is not as if the petitioners have no remedy in this matter. The court below shall consider the evidence adduced before it in the course of enquiry or trial and take appropriate decision, as against the accused persons in accordance with law.

4. This Criminal Original Petition is disposed of with the above direction.

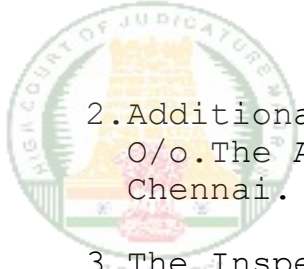
Sd/
Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar(CS-I)

To

1.Director General of Police,
O/o.The Director General of Police,
P.O. Madhavadasan Road,
Chennai.



2. Additional Director General of Police (CBCID),
O/o. The Additional Director General of Police, (CBCID)
Chennai.

3. The Inspector of Police,
Karaikudi South Police Station,
Karaikudi.

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

Copy to:
The Judicial Magistrate, Karaikudi.

+2cc to Mr. R. SUNDAR SRINIVASAN, Advocate, SR.No.83751

Cr1.O.P.[MD].No.6283 of 2016
11.09.2018

DAS
KK/SKN/SAR-1/08.10.2018/3P-8C