



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.12024 of 2018

Nelsan

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District.

2. The Inspector of Police,
Pudhukadai Police Station,
Kanyakumari District.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the second respondent to investigate the case in Crime Nos.398 of 2017 and 402 of 2017 on the file of the second respondent herein as per Section 566 of Police standing order by investigating the above said two cases together.

For Petitioner

: Mr.S.Ramasamy

For Respondents

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed for a direction to the second respondent to investigate the case in Crime No. 398 of 2017 Crime No.402 of 2017, which is case in counter and to file final report.

2.The learned counsel appearing for the petitioner submitted that both the case and counter arose out of the same incident and therefore the second respondent is duty bound to investigate both Crime Numbers in accordance with the Police standing orders.

3.The learned Government Advocate appearing for the respondents submitted that the second respondent has investigated both the Crime Numbers and insofar as the Crime No.398 of 2017 is concerned, final report has been filed for the offence under Section 323, 306(ii) and Section 4 of Women Harassment Act and insofar as the Crime No.402 of 2017 is concerned, closure report



has been filed before the learned Judicial Magistrate No.II, Kuzhithurai on 19.02.2018 and R.C. notice was served on the petitioner. The R.C.notice was also handed over by the learned Government Advocate (Crl.side) to the learned counsel appearing for the petitioner.

4.In view of the above development, liberty is given to the petitioner to file a protest petition before the concerned Magistrate Court against the closure report filed by the second respondent in Crime No.402 of 2017 and proceed in accordance with law.

5.With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Kanyakumari District.
2. The Inspector of Police,
Pudhukadai Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.RAMASAMY, ADVOCATE IN SR No. 79386

GNS
TE/RP/SAR-1 : 03/09/2018 : 2P/5C

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