



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.13988 of 2018

R.Rajeshwari

.. Petitioner

-vs-

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

2. The Inspector of Police,
All Women Police Station (AWPS),
Samayanallur, Madurai District.

(Crime No.11 of 2013, dated 01.04.2013)

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records with regard to final report filed in C.C.No.173 of 2014 on the file of the Judicial Magistrate Court, Vadipatti, Madurai District and set aside the same and further direct the 1st respondent to conduct further investigation by appointing another competent Investigation Officer and file final report afresh before the concerned Judicial Magistrate Court, Vadipatti, Madurai District within the time stipulated by this Court.

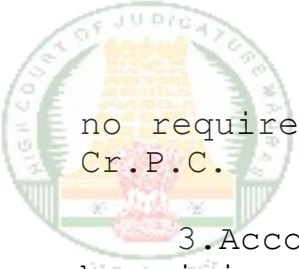
For Petitioner : Mr.C.Masilamani

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the defacto complainant being aggrieved by the action of the respondent police in dropping A5 and A6 from the final report. At the stage of the FIR six persons were arrayed as accused. After completion of the investigation, the respondent police have filed a final report only as against A1 to A4 and they have dropped A5 and A6. The final report does not give any reason as to why A5 and A6 were dropped from the final report.

2.The grievance of the petitioner can be addressed before the Court below by filing a protest petition before the very same Court. When such a remedy is available to the petitioner, there is



no requirement to approach this Court directly under Section 482 Cr.P.C.

3. Accordingly, this Criminal Original Petition is disposed of by giving liberty to the petitioner to file a protest petition before the Court below questioning the dropping of A5 and A6 from the final report.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Superintendent of Police, Madurai District, Madurai.
2. The Inspector of Police, All Women Police Station (AWPS), Samayanallur, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.C.Masilamani, Advocate Sr.No.77604

TM

VB/KAK/SAR3/24.08.2018/2P/5C

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