



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.(MD)No.16301 of 2018
and Crl.M.P.(MD)No.7228 of 2018

Premkumar

... Petitioner

-vs-

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

2.The State rep.by
The Inspector of Police,
Yameneswaram Police Station,
Ramanathapuram District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to investigate C.C.No.128 of 2017 in Crime No.54 of 2013 on the file of the Judicial Magistrate, Paramakudi.

For Petitioner : Ms.P.Malini

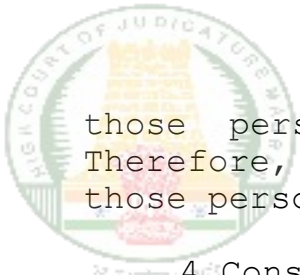
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents to investigate the case in C.C.No.128 of 2017 on the file of the Judicial Magistrate, Paramakudi.

2.The learned Government Advocate (Crl.side) appearing for the respondents would submit that the case in Crime No.54 of 2013 has already been taken cognizance in C.C.No.128 of 2017 for the offence punishable under Sections 294(b), 324 and 506(i) IPC by the learned Judicial Magistrate, Paramakudi and trail has also been commenced and P.W.1 to P.W.3 were examined. At this stage, the prayer sought for in this petition cannot be granted.

3.The learned counsel appearing for the petitioner would submit that the trail is commenced and in cross-examination, P.W.1 has stated that in the scene of occurrence, there are other persons present. Unfortunately, the respondents/Police did not examine



those persons, who were present in the scene of occurrence. Therefore, the petitioner restricted his prayer, only to examine those persons, who were present in the scene of occurrence.

4. Considering the facts and circumstances, the petitioner is directed to file an appropriate petition before the concerned trial Court to examine the persons, who were present in the scene of occurrence.

5. With the above observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Judicial Magistrate,
Paramakudi.
2. The Chief Judicial Magistrate,
Paramakudi.
3. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
4. The Inspector of Police,
Yameneswaram Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO Ms.P.MALINI, ADVOCATE IN SR.NO.84187.

Gns
DS RSK SAR-2 04.10.2018 2P/7C