



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2018

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.16457 of 2018

WEB COPY

S.V.Ramachandran

... Petitioner/Defacto Complainant

Vs.

1. The State rep. By its
The Inspector of Police,
Central Crime Branch,
Madurai City, Madurai,
In Crime No.42 of 2018. ...1st Respondent/Complainant

2.Kannan

3.R.Ganesan

4.Dhatchanamoorthy

5.Saravanan

6.P.Dhatchanamoorthy

7.A.B.Murugesan

8.R.Venkatesan

...Respondents 2 to 8/Accused 1 to 7

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent police to conduct further investigation for the purpose adding the other accused persons who are left out to be added as an accused in C.C.No.82 of 2018 on the file of the Judicial Magistrate No.1, Madurai.

For Petitioner

: Mr.A.Saravanan

For Respondents

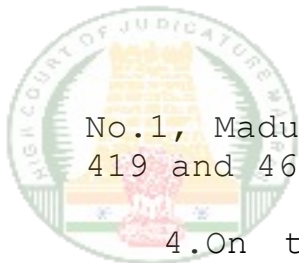
: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

ORDER

This petition has been filed for a direction directing the first respondent to conduct further investigation for the purpose of adding the other persons as an accused in C.C.No.82 of 2018 on the file of the Judicial Magistrate No.1, Madurai.

2.The learned counsel for the petitioner would submit that the petitioner had filed a petition before the learned Judicial Magistrate No.1 for a direction to the first respondent to conduct further investigation in Crime No.42 of 2014 to add other three persons as accused persons in C.C.No.82 of 2018. This petition was returned on 07.09.2017 by the learned Judicial Magistrate No.1, Madurai. Therefore, he filed Crl.O.P.(MD)No.9742 of 2014 seeking a direction from this Court to direct the first respondent to conduct further investigation in Crime No.42 of 2018.



No.1, Madurai for the offences under Sections 406, 468, 471, 120B, 419 and 465 IPC against the private respondents herein.

4. On the basis of the civil Court verdict, the petitioner wanted to add some other persons as accused in this calender case. However, the petition was returned by the learned Judicial Magistrate No.1 on 07.09.2017. No need to say that if there are incriminating evidences and materials as against the persons, who are not arraigned as accused, they can very well be added as accused persons by the trial Court under Section 319 of Cr.P.C.

5. Though the prayer sought for in this petition cannot be considered at this stage, this Court grants liberty to re-present the said petition before the learned Judicial Magistrate No.1, Madurai with explanation. On receipt of such re-presented petition, the learned trial Magistrate is directed to pass orders thereon within a period of four weeks on merits and in accordance with law from the date of receipt of a copy of this order.

6. With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Judicial Magistrate No.1, Madurai.

2. The Inspector of Police,
Central Crime Branch,
Madurai City, Madurai

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

+2cc to Mr.A.Saravanan, Advocate Sr.No.84273

TA

VB/PM/SAR4/19.09.2018/2P/6C

Cr1.O.P.(MD)No.16457 of 2018
14.09.2018