

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3020 of 2019
and
Crl.M.P.No.1993 of 2019

Mrs.R.Sumithra

... Petitioner

Vs.

1. The Deputy Commissioner of Police,
Triplicane Range,
Chindadiripet,
Chennai-600 002.
2. The Assistant Commissioner of Police,
Egmore Range,
Chennai-600 008.
3. The Inspector of Police,
F2 Egmore Police Station,
Egmore, Chennai-600 008.
4. Miss. S.Rudhra Sudha
Sub Inspector of Police,
F2 Egmore Police Station,
Chennai-600 008.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.7243 of 2018 in Crime No.200 of 2018 before the XIV Metropolitan Magistrate at Egmore and direct the 1st respondent to appoint another Investigating Officer not less than the rank of Inspector of Police to re-investigate the Crime No.200 of 2018 on the file of the 3rd respondent police.

For Petitioner : Mr.C. Justeen

For Respondents -1 to 3 : Mr.M.Mohammed Riyaz

ORDER

This Criminal Original Petition has been filed seeking for a direction to the 1st respondent to appoint another Investigating

Officer not less than the rank of Inspector of Police to re-investigate the Crime No.200 of 2018 on the file of the 3rd Respondent Police.

2. It is seen that the 2nd respondent has completed the investigation and also filed a charge sheet and taken cognizable offence in C.C.No.7243 of 2018 on the file of the XIV Metropolitan Magistrate at Egmore and it is pending for trial. It is open to the petitioner/de-facto complainant and other petitioners to depose before the trial Court. They are at liberty to invoke under Section 319 of Cr.P.C to implead the accused persons and to include the offences as well as the other accused persons. The trial Court has also framed charges on 02.06.2018 and 03.09.2018. The trial Court is directed to consider that if the offences are made out as against the other accused persons, they may be impleaded and included the related offences during the course of examining the witnesses. It is open to the trial Court to consider the request of the de-facto complainant under Section 216 and 319 of Cr.P.C.

3. This Criminal Original Petition is disposed of with the above observations. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Triplicane Range,
Chindadiripet,
Chennai-600 002.
2. The Assistant Commissioner of Police,
Egmore Range,
Chennai-600 008.
3. The Inspector of Police,
F2 Egmore Police Station,
Egmore, Chennai-600 008.

4. The Public Prosecutor,
High Court,
Madras.

+2cc to Mr.C.Justeen, Advocate Sr.9600

Cr1.O.P.No.3020 of 2019
and
Cr1.M.P.No.1993 of 2019

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