

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM:

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

Crl.O.P.No.10557 of 2019

D.Singaram

... Petitioner/Defacto Complainant

Vs.

1.N.Gunasekaran,
2.R.Thangam
3.Uma Ganga
4.The State,
The Inspector of Police,
Central Crime Branch,
Salem Taluk,
Salem District.
(Crime No.28 of 2007)

.... Respondents/Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the 4th respondent to arrest the accused namely 1.N.Gunasekaran, S/O.Narayanasamy Pillai, 2.R.Thanam, W/o Ramasamy, 3.S.Umakanga, w/o.Sundaravadivel, in pursuant to the Crime No.41/2018.

For Petitioner : Mr.K.Kalaikovan
For R4 : Mr.C.Raghavan
Government Advocate (Crl.side)

O R D E R

This petition has been filed by the defacto complainant seeking for a direction to the 4th respondent to arrest the accused persons in connection with Crime No.41 of 2018.

2.Heard both sides.

3.On perusal of records, it is seen that the petitioner has already filed a petition to cancel the anticipatory bail granted to the accused persons viz., 1.N.Gunasekaran, 2.R.Thanam and 3.S.Umakanga before this Court in Crl.O.P.No.25327 of 2018 and this Court dismissed the said petition and also observed that the 4th respondent has already completed investigation and also filed a charge sheet and the same was taken cognizance in C.C.No.41 of 2018 by the learned Judicial Magistrate-III, Salem.

4.The learned Government Advocate(Criminal side) submitted that, subsequently, the petitioner has filed a petition before this Court seeking to transfer the case in C.C.No.41 of 2018 on the file of learned Judicial Magistrate-III, Salem to learned Judicial Magistrate-I, Salem and the same was allowed. He further submitted that the matter has been posted for framing of charges.

5.At this stage, the direction sought for by the petitioner in this petition cannot be granted. Accordingly, this Criminal Original Petition is dismissed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Judicial Magistrate-III,
Salem.

2.The Judicial Magistrate-I,
Salem.

3. The Inspector of Police,
Central Crime Branch,
Salem Taluk,
Salem District.
(Crime No.28 of 2007)

4.The Public Prosecutor
High Court, Madras 104.

+1 CC to Mr.K.Kalaikovar, Advocate sr 38476.

Cr1.O.P.No.10557 of 2019

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GJ(CO)

SP(29/05/2019)