

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.29365 of 2019

M.Arul

...Petitioner

Vs.

State rep by,
Inspector of Police,
Kannakurichi Police Station,
Salem District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to issue direction to the respondent to re-investigate the case in S.C.No.166 of 2018 on the file of learned District Judge, Salem within the stipulated period and file fresh charge sheet.

For Petitioner : Mr.S.Parthasarathy

For Respondent : Mrs.V.Saratha Devi
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition is filed to direct the respondent to re-investigate the case in S.C.No.166 of 2018 on the file of the learned District Judge, Salem, within a stipulated period and file a fresh charge sheet.

2. The ground on which the petitioner seeks for re-investigation is that some of the persons, who are involved in the offence, have been left out. Section 319 of the Criminal Procedure Code protects the rights of the petitioner, whereby the Trial Court is empowered to proceed against such persons, who appear to be guilty of such offence. When such a liberty is available under Section 319 Cr.P.C, it would not be appropriate for this Court to invoke its extraordinary powers under Section 482 Cr.P.C.

3. With the above observation, the Criminal Original Petition stands closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

hvk/jas

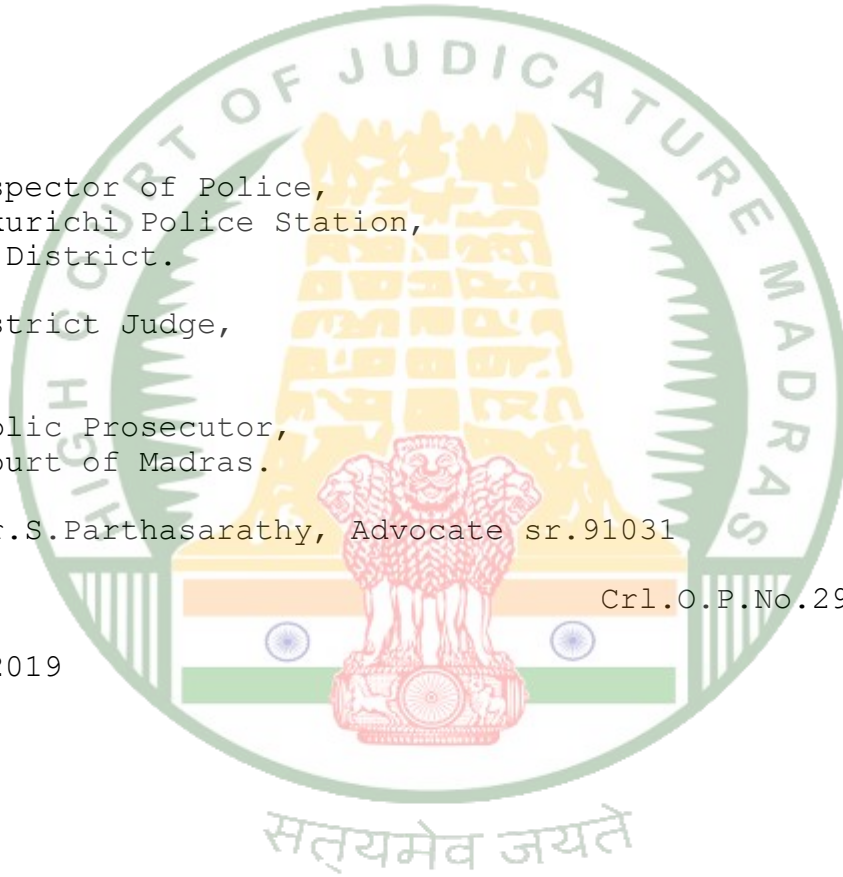
To

1. The Inspector of Police,
Kannakurichi Police Station,
Salem District.
2. The District Judge,
Salem.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Parthasarathy, Advocate sr.91031

Cr1.O.P.No.29365 of 2019

nr 22/11/2019



WEB COPY