



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 10.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

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Crl.O.P. (MD) .No.5895 of 2018

and

Crl.M.P. (MD) .No.2825 of 2018

G.Balasubramanian

... Petitioner/Defacto
Complainant

-Vs-

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

2. State represented by
The Inspector of Police,
Ambasamudram Police Station,
(in Crime No.105 of 2013),
Tirunelveli District.

... Respondents/complainants

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to order further investigation by appointing the competent officer and to investigate the case in a fair manner in the unnumbered charge sheet is pending on the file of the Judicial Magistrate, Ambasamudram as against the Crime No.105 of 2013 on the file of the second respondent police.

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

O R D E R

This criminal original petition has been filed seeking further investigation in Crime No.105 of 2013 on the file of the second respondent police.

2. Today, the learned Government Advocate (Crl.side) appearing for the respondents on instructions would submit that earlier the final report has been filed for the offences under Sections 147, 294 (b), 452, 323 and 506(ii) of I.P.C. The learned Judicial Magistrate, Ambasamudram after considering the final report, ordered reinvestigation and on reinvestigation, now the complaint has been closed as 'Mistake of Fact' and the final report has also been filed before the learned Judicial Magistrate, Ambsamudhram on 05.04.2019.

3. Considering the fact that the final report has been filed before the learned Judicial Magistrate, Ambasamudram, it is always



open to him to file necessary application before the concerned Magistrate seeking appropriate remedy and this Court cannot grant the relief as prayed for by the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate,
Ambasamudram.
2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
3. The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.A.MURALI KUMAR, Advocate (SR-67748[F] dated 10/06/2019)

Cr1.O.P. (MD) .No.5895 of 2018
10.06.2019

AKV

MK (27.06.2019) 2P 6C