



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.07.2019
CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.6068 of 2017
and
CrI.M.P. (MD)No.4082 of 2017

R.Vijaya Rani : Petitioner /Defacto Complainant
Vs.

The Deputy Superintendent of Police,
District Crime Branch,
Tiruchirappalli. : Respondent /Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to set aside the final report and direct the respondent to conduct further investigation in C.C.No.124 of 2010 on the file of the learned Judicial Magistrate No.III, Trichy, and file the final report afresh.

For Petitioner : Mr.C.Muthu Saravanan
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This petition has been filed to set aside the final report and also seeking a direction to the respondent to conduct further investigation in C.C.No.124 of 2010 on the file of the learned Judicial Magistrate No.III, Trichy.

2. The grievance of the petitioner is that, based on the complaint given by the petitioner, a crime has been registered by the District Crime Branch, Trichy, and after conducting enquiry, final report has been filed for an offence under Section 420 r/w 120 (B) of the Indian Penal Code, and it was also taken cognizance by the learned Judicial Magistrate No.III, Trichy and pending trial in C.C.No.124 of 2010. Before the Trial Court, the petitioner earlier filed a petition seeking a direction for production of various documents and particulars which were available with the Government authorities. The application has been dismissed. Challenging the same, the petitioner filed a petition in CrI.O.P.(MD)No.20860 of 2014 and this Court, by order dated 30.01.2015, disposed of the petition seeking a direction to the Deputy Superintendent of Police, to conduct further investigation in this case and file a final report. Now, alleging that the investigation was not properly



conducted and some of the witnesses were not examined by the Deputy Superintendent of Police, the present petition has been filed seeking for the aforesaid relief.

3. The learned Government Advocate (Criminal side) appearing for the respondent, on instructions, submitted that pursuant to the order passed by this Court, the Deputy Superintendent of Police, District Crime Branch, Trichy, conducted enquiry and filed an additional final report including two more accused in this case. Now, that final report was also taken cognizance by the learned Magistrate and the trial is pending.

4. Considering the fact that, a further investigation was already ordered by this Court and pursuant to the same, additional final report has been filed adding two more accused, this Court is of the view that the petitioner cannot go on filing petitions seeking for further investigation. If at all the petitioner has any grievance over the final report, it is always open to her to seek appropriate remedy before the Trial Court and this petition is not maintainable. Hence, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar (CS-)

SML

To

1. The Judicial Magistrate No.III,
Trichy.

2. The Deputy Superintendent of Police,
District Crime Branch,
Tiruchirappalli.

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

+1 CC to M/s.C.MUTHU SARAVANAN, Advocate

(SR-74081[F] dated 08/07/2019)

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