



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No. 6241 of 2019

M. Shakul Hameed

... Petitioner/Defacto Complainant

Vs.

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
Thideernagar Police Station,
Madurai.

(Crime No. 307 of 2017)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records with regard to the final report filed in C.C. No. 176 of 2018 in Crime No. 307 of 2017 pending on the file of the learned Judicial Magistrate No.5, Madurai and set aside the same and further direct the first respondent to conduct the further investigation by appointing another competent investigating Officer and file the final report afresh before the concerned Judicial Magistrate No.5, Madurai within the time stipulated by this Court.

For Petitioner

: Mr.D.S.Haroon Rasheed

For Respondents

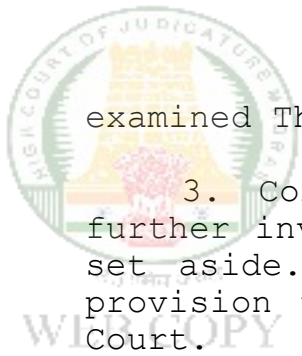
: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed to challenged the final report filed in C.C. No. 176 of 2018 in Crime No. 307 of 2017 pending on the file of the learned Judicial Magistrate No.V, madurai and also sought for further direction for further investigation in Crime No. 307 of 2017.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (crl. side) appearing for respondents submitted that the trial Court has commenced the trial and the prosecution has



examined Three witnesses. The statement is recorded.

3. Considering the facts and circumstances, at this stage, further investigation cannot be ordered and the final report cannot set aside. However, the petitioner is at liberty to invoke the provision under Sections 216 and 319 of Cr.P.C., before the trial Court.

4. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Commissioner of Police,
Madurai City, Madeira.
2. The Inspector of Police,
Thideernagar Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

KSA

TE : 07/01/2020 : 2P/4C

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