



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.12467 of 2019

WEB COPY

S. Malarkodi

... Petitioner

-Vs-

1.The Superintendent of Police,
Tiruchirapalli.

2.The Inspector of Police
District Crime Branch,
Tiruchirapalli,
(Crime No.8 of 2013)

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, directing the respondents herein to cause re-investigation or further investigation in connection with the Crime No.8 of 2013 on the file of the 2nd respondent (District Crime Branch, Tiruchirapalli) through the competent authority as directed by this Court.

For Petitioner : Mr.P.Santhoshkumar
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

ORDER

This petition has been filed to direct the respondents herein to cause re-investigation or further investigation in connection with the Crime No.8 of 2013 on the file of the second respondent through the competent authority as directed by this Court.

2.Heard both sides.

3.The learned Government Advocate (criminal side) would submit that on the complaint lodged by the petitioner a case has been registered in Crime No.8 of 2013 for the offences under Sections 406, 417, 420, 464, 465, 467, 468, and 471 of I.P.C. Thereafter, they conducted enquiry and closed the same as 'mistake of fact' and they also served R.C.S.No.14 of 2015, to the defacto complainant. After four years, again the defacto complainant filed a petition before the Chief Minister's Cell pursuant to which again she was called for enquiry by the second respondent. Thereafter, the petitioner sought for further investigation before the learned Judicial Magistrate, Ilalgudi, in which, the learned Magistrate directed the petitioner herein to approach High Court for proper relief.



4.The petitioner kept quiet the matter for the past five years and thereafter, instead of filing protest petition simply he lodged a complaint before the Chief Minister's Cell. Therefore, the prayer sought for by the petitioner cannot be granted. However, the petitioner is at liberty to approach the appropriate forum and seek her remedy.

5.With the above observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Tiruchirapalli.
- 2.The Inspector of Police
District Crime Branch,
Tiruchirapalli,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.P.SANTHOSHKUMAR, Advocate (SR-86090[F] dated
10/09/2019)

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