

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6369 of 2019

A.Munusamy

... Petitioner

Vs

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

2.The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.

... Respondents

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, to direct the respondents to include the name of the principal and prime accused and to conduct fair and proper investigation in Crime No.550 of 2019 pending on the file of Cheyyar Police Station, Thiruvannamalai District.

For Petitioner : Mr.Krishnasamy Chinnasamy

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to include the name of the principal and prime accused and to conduct fair and proper investigation in Crime No.550 of 2019 pending on the file of the Cheyyar Police Station, Thiruvannamalai District.

2.The case of the petitioner is that due to previous enmity, while the petitioner was sleeping in front of his house, some unknown persons assaulted the petitioner and caused high injuries. Hence, the petitioner gave a compliant before the respondent police.

3.The learned counsel for the petitioner submitted that during investigation the petitioner strongly and specifically mentioned the accused name, namely, "Thavamani" to be included

as the principal and prime accused. However, due to local and political influence, the said Thavamani has not been arrayed as an accused.

4.The learned Additional Public Prosecutor, on instructions, submitted that the investigation has been completed in Crime No.550 of 2019 and the same was closed as "mistake of fact".

5.Considering the above facts and circumstance of this case, a direction is issued to the second respondent to serve the charge sheet in Crime No.550 of 2019 on the file of the second respondent to the petitioner within a period of eight weeks from the date of receipt of copy of the order. On receipt of the same, liberty is granted to the petitioner to file a private complaint before the concerned jurisdiction Magistrate in the manner known to law.

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

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

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

2.The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.

3.The Additional Public Prosecutor,
High Court,
Madras.

+1 CC to Mr.C. Krishnasamy, Advocate sr 23881

CrI.O.P.No. 6369 of 2020

LN (CO)
SP(17/07/2020)