

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.12.2020
CORAM
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.OP.No.19229 of 2020

C.Sreenivas

... Petitioner

Vs

The Inspector of Police,
Kirumambakkam Police Station,
Puducherry.
(Crime No.140 of 2013)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to investigate further and submit further report in Crime No.140 of 2013 on the file of the respondent in compliance of the direction issued by the learned Judicial Magistrate IV, Puducherry in Crl.M.P.No.801 of 2016 dated 27.07.2016.

For Petitioner : Mr.Sundar Mohan

For Respondent : Mr.V.Balamurugan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent to investigate further and submit further report in Crime No.140 of 2013 on the file of the respondent in compliance of the direction issued by the learned Judicial Magistrate IV, Puducherry in Crl.M.P.No.801 of 2016 dated 27.07.2016.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

3.It is seen that as directed by the learned Judicial Magistrate IV, Puducherry, the respondent Police conducted further investigation and also filed further report.

4.Now, the learned counsel appearing for the petitioner submitted that he has filed a copy application for the copy of the further report in Crime No.140 of 2013 on the file of the respondent. It was returned with endorsement that no such

report was available in the bundle. Therefore, the respondent did not file any further report as directed by the learned Judicial Magistrate IV, Puducherry.

5.The learned Additional Public prosecutor appearing for the respondent Police submitted that as directed by the learned Judicial Magistrate IV, Puducherry, the respondent Police examined two more witnesses and their statements only have been filed in addition to final report, which was also filed and it was pending for committal in P.R.C.No.16 of 2016 and thereafter, the same case been taken cognizance in S.C.No.44 of 2018 on the file of the Principal Sub Court, Puducherry. Therefore, he conducted further investigation and examined two more witnesses and as such need not to file further report in addition to the earlier final report.

6.Considering the aforesaid submission, the respondent is directed to on the strength of the statements recorded further two other witnesses, file further report in addition to earlier final report filed in S.C.No.44 of 2018 on the file of the Principal Sub Court, Puducherry, within a period of four weeks from the date of receipt of a copy of this order. Further, the trial Court is directed to consider the additional report filed in Crime No.140 of 2013 while taking cognizance.

7.With the above directions and observations, this criminal original petition stands disposed of.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vsg
To

- 1.The Principal Sub Court,
Puducherry.
- 2.The Judicial Magistrate IV,
Puducherry.
- 3.The Inspector of Police,
Kirumambakkam Police Station,
Puducherry.

4. The Additional Public Prosecutor, (puducherry)
High Court, Madras.

+1 cc to Mr.M.Suresh Advocate sr41674

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