

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.21239 of 2019
and
CrI.M.P.No.10993 of 2019

Ponnusamy

... Petitioner

Vs.

1. The Superintendent of Police,
Namakkal District, Namakkal.
 2. The Deputy Superintendent of Police,
Thiruchengode,
Namakkal District, Namakkal.
 3. The Inspector of Police,
Mallasamudram Police Station,
Namakkal District, Namakkal.
- ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to further investigate the case in Cr.No.93 of 2016 on the file of the third respondent police, numbered as SC.No.157 of 2018 pending before the Additional District Court, Namakkal and proceed against all the accused who were involved in the occurrence on 27.04.2016 and file a fresh or additional final report before the concerned Court.

For Petitioner : Mr. Abdul Majeed W.M
For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to direct the respondent police to further investigate the case in Cr.No.93 of 2016 on the file of the third respondent police, numbered as SC.No.157 of 2018 pending before the Additional District Court, Namakkal and proceed against all the accused who

were involved in the occurrence on 27.04.2016 and file a fresh or additional final report before the concerned Court.

2. Heard Mr.Abdul Majeed W.M, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents.

3. The learned Additional Public Prosecutor has submitted that the investigation has already been completed and the final report has been filed in Crime No. 93 of 2016 before the concerned Court. Thereafter, report has been taken cognizance in S.C.No.157 of 2018 and it is pending before the Additional District Court, Namakkal. He further submitted that the prosecution witnesses have been examined and posted for evidence. At this stage, the prayer sought cannot be considered. However the petitioner is at liberty to invoke the provisions under Sections 319 of Cr.P.C during the trial before the trial Court.

4. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Additional District Court, Namakkal District.
2. The Superintendent of Police, Namakkal District, Namakkal.
3. The Deputy Superintendent of Police, Thiruchengode, Namakkal District, Namakkal.
4. The Inspector of Police, Mallasamudram Police Station, Namakkal District, Namakkal.
5. The Public Prosecutor, High Court, Madras.

CrI.O.P.No.21239 of 2019
and

CrI.M.P.No.10993 of 2019

RK (CO)
RPP (22/05/2020)