

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 21607 of 2017
and
Crl.M.P.No.12588 of 2017

Govindammal ... Petitioner

Vs.

1. The State Represented by
The Superintendent of Police,
Vellore District, Vellore.

2. The Inspector of Police,
Anaicut Police Station,
Vellore District.

Crime No.83 of 2015

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent to re-investigate and file further report under Section 173(8) of Cr.P.C in C.C.No.387 of 2016 pending on the file of the learned Judicial Magistrate No.V, Vellore, Vellore District.

For Petitioner : Mr.E.Kannadasan

For Respondents: Mr.K.Prabakar

Additional Public Prosecutor

ORDER

This petition has been filed for a direction to direct the second respondent to re-investigate the matter in C.C.No.387 of 2016 on the file of the learned Judicial Magistrate No.V, Vellore District.

2. The learned counsel for the petitioner would submit that the second respondent wantonly left out the major offence committed by the accused person and filed final report. Therefore, he prayed to direct the respondent to re-investigate the matter.

3. The learned Additional Public Prosecutor submitted that now the case is pending for trial before the learned Judicial Magistrate No.V, Vellore District and therefore, the re-investigation cannot be done at this stage.

4. Considering the above submission made by the learned counsel on either side, now the matter has been pending for trial in C.C.No.387 of 2016 on the file of the learned Judicial Magistrate No.V, Vellore District, this Court feels that at this circumstance, the re-investigation would not serve any purpose. However, the petitioner is at liberty to invoke the provisions under Sections 216 & 319 of Cr.P.C during the trial before Court below.

5. With the above observation, the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arb

To

1.The Judicial Magistrate No.V
Vellore, Vellore District.

2. The Superintendent of Police,
Vellore District, Vellore.

3. The Inspector of Police,
Anaicut Police Station,
Vellore District.

4. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No. 21607 of 2017
and

CrI.M.P.No.12588 of 2017

CP(CO)
RMP(17/08/2020)