

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.13984 of 2017

E.R.Pandurangan,
S/o.E.K.Ramasamy,
L.N.Kovil Street,
Ammaiyaarkuppam Village,
Pallipattu Taluk,
Tiruvallur District.

...Petitioner

Vs.

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

2. The Inspector of Police,
D4 Police Station,
R.K.Pet, Pallipat Taluk,
Thiruvallur District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to conduct a further investigation under Section 173(8) of Cr.P.C of the case in PRC.No.04 of 2016 (R.K.Pet Police Station Cr.No.258 of 2014) on the file of the District Munsif cum Judicial Magistrate Court, Pallipattu through the some other agency other than the second respondent and drop the petitioner from the alleged occurrence.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.K.Prabakar
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to direct the first respondent to conduct further investigation in PRC.No.04 of 2016 on the file of the District Munsif cum Judicial Magistrate Court, Pallipattu.

2. The learned Additional Public Prosecutor submitted that the petitioner is an accused only because of his non-appearance in PRC.No.04 of 2016 is pending and in so far as the other accused persons it is pending for trial in SC.No.200 of 2018 on the file of the Additional District Sessions Court, Thiruttani and still the committal proceedings is pending as against the petitioner in PRC.No.04 of 2016 on the file of the District Munsif cum Judicial Magistrate Court, Pallipattu. Because of his non-appearance, the Non-bailable Warrant has been issued against the petitioner and it is pending.

3. Under these circumstances, the petitioner is being an accused, he cannot seek any further investigation when the Non-bailable Warrant is pending as against the petitioner. Therefore, the petition itself is devoid of merits. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

arb

To

1. The District Munsif Cum
Judicial Magistrate,
Pallipattu.
2. The Additional District Judge,
Thiruttani.
3. The Superintendent of Police,
Tiruvallur District,
Tiruvallur.
4. The Inspector of Police,
D4 Police Station,
R.K.Pet, Pallipat Taluk,
Thiruvallur District.

5. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Doraisamy, Advocate, S.R.No.24753

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NR (CO)
KKV/05/08/2020



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