



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.[MD]No.8783 of 2020

WEB COPY

M.Sundar

... Petitioner/Defacto Complainant

Vs.

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

2. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

Crime No.5 of 2019. .. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to reinvestigate the case in Crime No.5 of 2019.

For Petitioner	: Mr.M.Ashok Padmaraj
For Respondents	: Mr.S. Chandrasekar Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the second respondent to reinvestigate the case in Crime No.5 of 2019, on the file of the second respondent police.

2.The learned counsel appearing for the petitioner would submit that the second respondent police herein, in earlier by considering the complaint given by the petitioner dated 05.01.2019, registered a case in Crime No.5 of 2019, for the offences under Sections 454 and 380 of IPC. Thereafter, without recovering the stolen property, had completed the investigation and filed a final report before the concerned Judicial Magistrate as un-deducted. Hence, he prays to pass an order of direction to the second respondent, to reinvestigate the case registered in Crime No.5 of 2019.

3.In this regard, the learned Additional Public Prosecutor appearing on behalf of the respondent police, on instructions, would submit that if sufficient material is available for reinvestigation, the second respondent is ready to comply with the request made by the petitioner.



4.Upon considering the arguments advanced by either side, it is not in dispute that whenever any useful material, which is necessary for reinvestigation, is available in the hands of the second respondent police, it is for him to consider the same in accordance with law. But here it is a case, the petitioner has not shown any clue in respect of the alleged occurrence narrated in the First Information Report, registered in Crime No.5 of 2019. Therefore, in the said circumstances, this Court is not in a position to direct the second respondent to conduct reinvestigation in this matter. However, the first respondent is directed to consider the representation given by the petitioner dated 31.07.2020, for taking appropriate action.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rm

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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VB (04.09.2020) 2P 4C

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