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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.16374 OF 2021

Mr.Ahamed Ali.

... Petitioner

Versus

1. State by
Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.

2. Mr.Rajendran.
3. Mr.Karan.
4. Mr.Senthil Vadivelan.
5. Mrs.Jayachitra.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to conduct further investigation in FIR No.249 of 2021 dated 17.02.2021 and include the 4th and 5th respondent herein as accused 3 and 4.

For Petitioner : Mr.G.V.Sridharan.

For Respondents : Mr.R.Vinoth Raja,
Government Advocate (crl.side)
for respondent R1.

ORDER

The petitioner, who is the defacto-complainant in Crime No.249 of 2021, has filed this petition seeking further investigation and to include R4 and R5 as accused in this case.



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2. The contention of petitioner is that though there have been specific allegations made as against the respondents 4 and 5 herein, the respondent police have not taken any action as against them. They have enough materials to include the respondents 4 and 5 as accused in this case. But, no proper investigation has been conducted.

3. The learned Government Advocate (crl.side) submitted that in this case, First Information Report came to be registered on 17.02.2021 and during investigation, it was found that no such incident has taken place on 14.02.2021 as stated in the complaint. Thereafter, the case has been closed as "Mistake of facts", and RCS Notice in RC No.03 of 2021 has been served to the petitioner through Registered Post on 18.09.2021 and the same was also produced before this court.

4. In view of the same, on receipt of the RCS notice, the petitioner to approach the appropriate Court and file protest petition, if he advised so.

5. With the above directions, this Criminal Original petition is dismissed.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

mrp

To

1. The Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.

2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.16374 of 2021

PMK(CO)

RLP(05/10/2021)