



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Cr1.O.P.No.8242 of 2017

And

Cr1.M.P.No. 5917 of 2017

R.Madhavakrishnan

... Petitioner

Vs.

The State of Tamil Nadu
Represented by
The Inspector of Police
Karungalpalayam
Erode Taluk.

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to re-investigate the crime in C.C.No. 444 of 2010 on the file of the learned Judicial Magistrate No.I, Erode through another competent investigation Officer.

For Petitioner : Mr. T.M.Hariharan

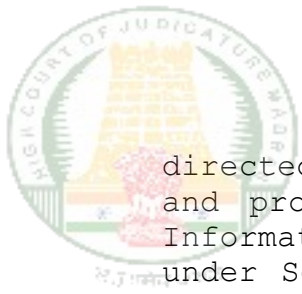
For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

I do not find any reason to keep this Petition any further.

2. This Criminal Original Petition has been filed under Section 482 Cr.P.C., seeking a direction to reinvestigate crime in C.C.No. 444 of 2010 on the file of the learned Judicial Magistrate No.I, Erode, through any other competent Investigating Officer.

3. The petitioner had given complaints on 17.07.2008, 10.10.2008 and 03.02.2009 before the respondent/Inspector of Police, Karungalpalayam, Erode Taluk. The petitioner had filed a private complaint before the Magistrate Court under Section 156(3) Cr.P.C., and the learned Chief Judicial Magistrate had



directed the respondent to register the First Information Report and proceed further with the investigation. Thereafter, First Information Report in Crime No. 582 of 2009 had been registered under Sections 430, 434, 353 and 506(ii) of IPC. Subsequently, after investigation, final report had been filed wherein the offences under Sections 353 and 506(ii) IPC had been dropped by the Investigating Officer. The final report had been taken on file as C.C.No. 444 of 2010 by the learned Judicial Magistrate No.I, Erode.

4. Let the learned Judicial Magistrate examine whether necessary notice had been issued under Section 173(2)(ii) of Cr.P.C., to the petitioner herein/defacto complainant before the final report was filed dropping two offences by the Investigating Officer and if required, let further investigation be directed under Section 173(8) Cr.P.C., after examining the Case Diary.

5. With the above said observation, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsg

To

1. The Judicial Magistrate No.I,
Erode
2. The Inspector of Police,
Karungalpalayam, Erode Taluk
3. The Public Prosecutor,
High Court, Madras-104.

CrI.O.P.No.8242 of 2017
And
CrI.M.P.No. 5917 of 2017

GPL (CO)
K.RK. (12.10.2021)