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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.32297 OF 2019

Thiruvengadam  
S/o Manikkam

... Petitioner

Vs.

The Inspector of Police,  
Valathy Police Station,  
Villupuram District.  
Crime No.256 of 2016.

... Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to do further investigation and file charge sheet afresh in S.C.No.230 of 2017 on the file of the Court of the Additional District and Sessions Judge, Villupuram relating to the Crime No.256 of 2016, on the file of the respondent within a period to be stipulated by this Hon'ble Court.

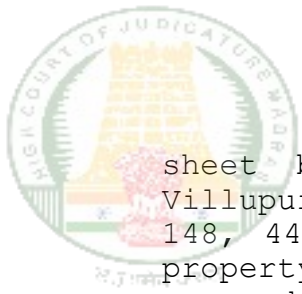
For Petitioner : Mr.C.Munusamy for  
R.Arun Dattan

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Crl. Side)

O R D E R

The petitioner filed a petition for directing the respondent police to do further investigation and file a fresh charge sheet in Crime No.256 of 2016 in S.C.No.230 of 2017 on the file of the Additional District and Sessions Judge, Villupuram.

2.The learned counsel for the petitioner submits that the respondent police without proper investigation filed a charge



sheet before the Additional District and Sessions Judge, Villupuram in S.C.No. 230 of 2017 for the offence under Sections 148, 448, 294 (b), 506 (ii) of IPC and Section 3 of TN Public property (Prevention of Damage & Loss ) Act, 1992. The respondent police have not marked the videographs and photographs of the house of the petitioner before and after the unlawful demolition by the accused persons. Apart from that, there are various other documents relating to the peace meeting conducted by the revenue authorities and the certificates issued by the Fire Department for the sugarcane field which was set ablaze by the accused persons. Hence, the petitioner prays this Court to direct the respondent police to produce the above documents and to do further investigation and file a fresh charge sheet in S.C.No. 230 of 2017 on the file of the Additional District and Sessions Judge, Villupuram relating to Crime No. 256 of 2016.

3. The learned Government Advocate (Crl.Side) submits that based upon the complaint given by the defacto complainant, an FIR was registered and investigation was completed and charge sheet also filed before the Additional District and Sessions Court, Villupuram and the same was taken on file in S.C.No. 230 of 2017. He further submits that now, the case is ripe for trial and if the petitioner wants to produce the documents at the time of trial, he may produce the same and assist the prosecution, to conduct the trial fairly.

4.Heard both sides.

5. A perusal of available records reveals that based upon the complaint lodged by the defacto complainant, the respondent police registered a case in Crime No.256 of 2016 and the charge sheet was filed before the Court below and taken on file in S.C.No. 230 of 2017, and the same is pending before the Court below.

6. Considering the facts and circumstances of this case, if the petitioner possesses any materials or documents with regard to the alleged occurrence, he may produce the same before the concerned Court during trial by way of additional documents.

7. Considering the age of the petitioner, who is aged about 60 years, this Court directs the Court below to dispose the case within six months from the date of receipt of a copy of this Order. If the defacto complainant wants to produce any



additional documents, he can file a petition under Section 399 of Cr.P.C and the Court below shall give sufficient opportunity to the defacto complainant to produce the same.

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8. Accordingly, this Criminal Original Petition is disposed of with the above directions.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pbl

To

1. The Additional District and Sessions Judge,  
Villupuram.
2. The Inspector of Police,  
Valathy Police Station,  
Villupuram District.
3. The Public Prosecutor,  
Madras High Court,  
Chennai.

Cr1.O.P.No.32297 of 2019

GPL(CO)  
PM/27/12/2021