



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P.(MD)No.6319 of 2021

C.Ravi

... Petitioner

Vs.

1. The State,
Rep. by Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. Inspector of Police,
Vadasery Police Station,
Kanyakumari District,
Nagercoil.

3. C.Selvam

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 herein to reopen the complaint dated 05.03.2020 and to conduct proper investigation by registering the complaint against the 3rd respondent herein.

For Petitioner : Mr.G.Thangavel

For R1 and R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the respondents 1 and 2 herein to reopen the complaint dated 05.03.2020 and to conduct proper investigation by registering the complaint against the 3rd respondent herein.

2. The learned counsel for the petitioner submits that the petitioner expired on 26.05.2021. However, the complaint filed by the petitioner against the 3rd respondent discloses a cognizable offence and it is the duty of the Investigating Officer to register a case and investigate the same.

3. However, the learned Additional Public Prosecutor submits that due to non co-operation of the petitioner, the complaint was closed on 08.12.2020 and for re-opening the complaint, this petition came to be filed.

4. If the petitioner himself would have appeared before the Investigating Officer and participated in the enquiry, a case would



have been registered and the prayer in this petition would not have become infructuous. Since the petitioner expired, liberty is granted to the legal heirs of the petitioner to work out their remedy in accordance with law.

5. Granting such liberty, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Nagercoil,
Kanyakumari District.
2. Inspector of Police,
Vadasery Police Station,
Kanyakumari District,
Nagercoil.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.THANGAVEL, Advocate (SR-19696[F] dated 21/06/2021)

Crl.O.P. (MD)No.6319 of 2021
18.06.2021

KK(28.06.2021) 2P 5C

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