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Crl.OP.No.15043 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.15043 of 2022

M.Palanivel

... Petitioner

Vs.

1. The Superintendent of Police,
District Police Head Office,
Villupuram, Villupuram District.

2. The Inspector of Police,
Valavanur Police Station,
Valavanur, Villupuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent herein to conduct further investigation and include the persons namely Thirumathi and her grandmother namely Rovathai as an accused in connection with the case in Crime No.102 of 2022 on the file of the Inspector of Police, Valavanur Police Station, Villupuram District based on the complaint given by the petitioner dated 23.03.2022.

For Petitioner : Mr.K.Sathyaraj

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the second respondent Police to conduct further investigation and include the persons one Thirumathi and her grandmother one Rovathai as an accused in connection with the case in Crime No.102 of 2022 on the file of the Inspector of Police, Valavanur Police Station, Villupuram District, based on the complaint given by the petitioner on 23.03.2022.

2. The learned Additional Public Prosecutor appearing for the respondent Police submitted that it is the case of murder under Section 302 of IPC. He further submitted that a 19 year old boy murdered the deceased and he was arrested and remanded to the Judicial custody. Further submitted the respondent Police had also filed the final report. While so, the petitioner want to include the other family members of the accused person. However, the investigation revealed that only one accused alone committed the offence.

3. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record.



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4. Such view of the matter, this Court cannot issue any direction based on the illusive facts of the petitioner. If at all any materials available on record, the learned Magistrate shall proceed against other accused while taking cognizance of the final report on record. Besides Session Judge also can add other accused persons on the basis of the evidence under Section 319 of Cr.P.C.

5. With the above observation, this Criminal Original Petition stands dismissed.

01.07.2022

Index: Yes/No
Speaking Order / Non-Speaking Order
nti/shk



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N. SATHISH KUMAR, J.

nti/shk

To

1. The Superintendent of Police,
District Police Head Office,
Villupuram, Villupuram District.
2. The Inspector of Police,
Valavanur Police Station,
Valavanur, Villupuram District.
3. The Public Prosecutor,
High Court of Madras.

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