



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2073 of 2022

V.Tamilarasu

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Ramanathapuram.

3.The Inspector of Police,
B-1 Nagar Police Station,
Ramanathapuram.

4.I.Madasamy

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the third respondent directing to re-investigate then original complaint, dated 25.01.2021 on the basis of representation given by the petitioner, dated 27.12.2021.

For Petitioner : Mr.K.Neethimohan

For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents 1 to 3.

2.The complaint given by the petitioner against the private respondent was closed. The petitioner wants reinvestigation. Only if an FIR has been registered and it was closed as 'Mistake of Fact', reinvestigation can be ordered. But in this case even FIR was not registered. Therefore, the prayer made in this petition is not maintainable. However, the petitioner is given liberty to move the Jurisdictional Magistrate Court for appropriate relief. He can file a private complaint or he can seek direction under Section 156 (3) of Cr.P.C. When such remedies are available, the question of invoking Section 482 of Cr.P.C. does not arise.



3.With this liberty to the petitioner herein, the Criminal Original Petition is disposed of. I have not gone into the merits of the matter.

Sd/-

Assistant Registrar (W)

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/ /2022

Sub Assistant Registrar(CS)

sjj

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,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Ramanathapuram.
- 3.The Inspector of Police,
B-1 Nagar Police Station,
Ramanathapuram.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.2073 of 2022
02.02.2022

MGJ(16.02.2022) 2P 5C