



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P. (MD)No.6223 of 2019

G.Ramkumar

... Petitioner/
Defacto Complainant

vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
(Crime No.210 of 2015)

... Respondents/
Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to direct the Inspector of Police, Thisaiyanvilai Police Station, Tirunelveli District to re-investigate the case in C.C.No.92 of 2016 pending on the file of a and further direct him to file a supplementary charge sheet therefrom within a particular point of time as fixed by this Court.

For Petitioner : M/s.V.Moushika
for Mr.R.Anand

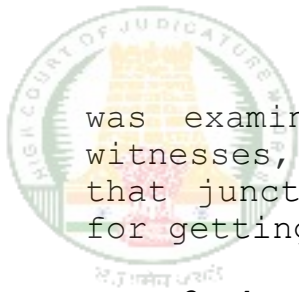
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the second respondent to re-investigate the case in C.C.No.92 of 2016 pending on the file of the Judicial Magistrate, Nanguneri, Tirunelveli District and direct to file a charge sheet within the time frame fixed by this Court.

2.In pursuance of the direction of this Court, the learned District Munsif cum Judicial Magistrate, Radhapuram, has submitted a report on 13.12.2021 along with the deposition copies of P.W.1 to P.W.4 and it is evident from the records that the petitioner, who

<https://hcservices.ecourts.gov.in/hcservices/>



was examined as P.W.1, has turned hostile and the other three witnesses, namely, P.W.2 to P.W.4 had also turned hostile and at that juncture, the learned counsel for the petitioner sought time for getting instructions from the petitioner.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that all other witnesses have been examined and the case was posted to 14.02.2022 for examination of the Investigation Officer.

4. The learned counsel for the petitioner would submit that the same may be recorded and the petition may be closed.

5. It is pertinent to mention that the petitioner has filed the above petition to re-investigate the case, but during trial, defacto complainant and other witnesses have not supported the case of the prosecution and turned hostile.

6. Considering the above facts and also taking note of the fact that the petitioner/defacto complainant himself has turned hostile, nothing survives for further adjudication.

7. In the result, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

csm

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 Judicial Magistrate,
Nanguneri,
Tirunelveli District.

2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.



3.The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Section Officer,
Criminal Section, (Records)
Madurai Bench of Madras High Court,
Madurai.(soft copy)

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31.01.2022

RK(15/02/2022) 3P 6C