



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.14096 of 2020

WEB COPY

M.Prabhu

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai.

2. The Inspector of Police,
Anna Nagar Police Station,
Madurai.

3. K.Muthukamatchi,
The Investigation Officer,
Anna Nagar Police Station,
Madurai.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction for the further investigation of the case by some other Investigation Officer in C.C.No. 319 of 2018 in Crime No. 2341 of 2015 pending on the file of the Learned Judicial Magistrate No.VI, Madurai within a time frame as fixed by this Hon'ble Court in accordance with law and file Charge Sheet afresh.

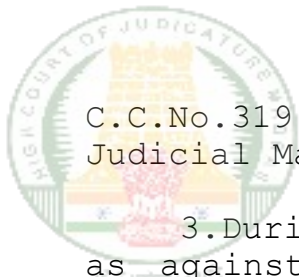
For Petitioner : Mr.K.Saravanan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Crl Side)

ORDER

The petitioner has filed this Criminal Original Petition for further investigation in C.C.No.319 of 2018.

2.On the complaint lodged by the petitioner, the second respondent registered a case in Crime No.2341 of 2015 for the offences under Sections 342, 294(b), 420 and 506(1) of IPC as against four accused persons. However, during investigation, the second respondent colluded with the accused persons and failed to conduct proper investigation. Therefore, the petitioner filed this petition for further enquiry in C.C.No.319 of 2018. The second respondent after completion of investigation in Crime No.2341 of 2015, filed final report and the same has been taken cognizance in



C.C.No.319 of 2018 and it is pending on the file of the learned Judicial Magistrate No.VI, Madurai.

3.During the trial, if any other cognizable offence is made out as against the accused persons, the petitioner can approach the Trial Court to include the addition of charges under Section 216 of Criminal Procedure Code and also under Section 319 of Criminal Procedure Code to add further accused. Therefore, further investigation cannot be ordered after commencement of trial in C.C.No.319 of 2018.

4.In view of the above, this Criminal Original Petition is devoid of merits and the same is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

To:

1. The Commissioner of Police,
Madurai.
2. The Inspector of Police,
Anna Nagar Police Station,
Madurai.
3. The Investigation Officer,
Anna Nagar Police Station,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to
The Judicial Magistrate No.VI,
Madurai.

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