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Crl.MP No.1988 of 2023 in
Crl.R.C.Sr.No.63664 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE **V.SIVAGNANAM**

Crl.M.P.No.1988 of 2023
in
Crl.R.C.Sr.No.63664 of 2022

Mrs.Sujatha Serukai

... Petitioner

/vs/

1. The State Rep.by its
Inspector of Police,
R8 Vadapalani Police Station,
Chennai-26

2. M.A.Ravi

.. Respondents

Prayer : Criminal Miscellaneous Petition filed under section 482 of Cr.P.C., to accept the cause title for filing the criminal revision case against the order dated 12.05.2021 passed by the learned XVII Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.4261 of 2019.

For petitioner

... Mr.V.Selvaperumal

For R1

... Mr.V. Meganathan, GA (crl.side)



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ORDER

This petition has been filed to accept the cause title for filing the Criminal Revision Case against the impugned order dated 12.05.2021, passed by the learned XVII Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.4261 of 2019.

2. The learned counsel for the petitioner contended that the petitioner is not a party to the impugned order, but she has filed the present Criminal Revision Case stating that the re-investigation is unnecessary and challenged the same.

3. Since the *de facto* complainant asked for re-investigation, the Trial Court had directed the respondent police to re-investigate the matter.

4. I have considered the submissions of the learned counsel for the petitioner and perused the materials on record.

4. On perusal of the records, it is seen that the *de facto* complainant gave a complaint with regard to death of Jayanthi and the respondent police registered a case in Crime No.637 of 2018. Thereafter, the respondent police filed a closure report before the Court. On receiving the notice, the *de facto* complainant approached the



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Court and agitated the closure report filed by the respondent police and seeking re-investigation. The Trial Court, after accepting the *de facto* complainant's contention and perusal of the closure report, ordered the respondent police to re-investigate the matter and file final report. In this circumstance, the petitioner may not say that it is unnecessary to conduct the re-investigation. Therefore, I find no merit in this petition. As such, this Court is inclined to dismiss the petition.

5. This Criminal Miscellaneous petition is dismissed accordingly. Consequently, Criminal Revision Case is rejected at the SR stage itself.

13.02.2023

rpl

To

1. The XVII Metropolitan Magistrate, Saidapet, Chennai

2.The Inspector of Police,
R8 Vadapalani Police Station,
Chennai-26.

3.The Public Prosecutor,
High Court of Madras, Chennai.

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V.SIVAGNANAM, J.,

rpl

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