



Cr.L.O.P.No.19408 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr.L.O.P.No.19408 of 2023

M.Chennappa,
S/o.Late Munisamy Gounder

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirupattur District.

2.The Deputy Superintendent of Police,
Vaniyambadi,
Tirupattur District.

3.The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the respondents to consider the petitioner's
representation dated on 07.08.2023 to alter the FIR in Crime No.69/2023
to conduct fresh enquiry against the accused persons and registered the
case on the provisions of murder.



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Cr.L.O.P.No.19408 of 2023

For Petitioner : Mr.D.Jagadeesan
For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent police to alter the First Information Report in Crime No.69/2023 and to conduct fresh enquiry against the accused persons.

2. Heard Mr.D.Jagadeesan, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for the respondents.

3. Learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the charges have abated since the accused person died during the pendency of the investigation. Learned Additional Public Prosecutor further submitted that RCS notice is yet to be served on the *de facto* complainant.



CrI.O.P.No.19408 of 2023

4. In view of the above submission, there shall be direction to the respondent police to serve RCS notice on the *de facto* complainant within a period of two (2) weeks. If the *de facto* complainant is not satisfied with the closure report, it is left open to the *de facto* complainant to file a protest petition before the concerned jurisdictional Court.

This Criminal Original Petition is disposed of with the above direction.

25.08.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation:Yes/No

pal/gm

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirupattur District.
- 2.The Deputy Superintendent of Police,
Vaniyambadi,
Tirupattur District.
- 3.The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.



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Crl.O.P.No.19408 of 2023

N.ANAND VENKATESH, J.

pal/gm

4.The Public Prosecutor,
Madras High Court,
Chennai.

Crl.O.P.No.19408 of 2023

25.08.2023