



WEB COPY



CrI.O.P.No.27704 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 26.06.2023

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.27704 of 2022

G.Sakthivel

... Petitioner

Versus

State rep. by
Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam,
Krishnagiri District.

... Respondent

PRAYER : Criminal Original petition filed under Section 482 Cr.P.C. praying to direct the respondent /Inspector of police, Kaveripattinam Police Station, Krishnagiri District to register the First Information Report based on the complaint of the petitioner dated 19.11.2021 in obedience with the order of learned Judicial Magistrate No.1, Krishnagiri dated 14.06.2022 in CrI.M.P.No.1214 of 2022.

For Petitioner	:	Mr.Arun Kasi
For Respondent	:	Mr.A.Gokulakrishnan Additional Public Prosecutor



Crl.O.P.No.27704 of 2022

WEB COPY

ORDER

This petition has been filed by the petitioner seeking a direction to the respondent/Inspector of police, Kaveripattinam Police Station, Krishnagiri District to register the First Information Report based on the complaint of the petitioner dated 19.11.2021 in obedience with the order of learned Judicial Magistrate No.1, Krishnagiri dated 14.06.2022 in Crl.M.P.No.1214 of 2022.

2. This Court, on 19.06.2023, had passed the following order:

“Today, Mr.R.Murali, Inspector of Police, Kaveripattinam Police Station is present but the situation is same. He is unable to give any answer for the questions putforth by this Court and seeks small accommodation to show progress of investigation and report the same.

Post for orders on 26.06.2023.”

3. In continuation and conjunction to the earlier order passed by this Court on 19.06.2023, today, Mr.R.Murali, Inspector of Police, Kaveripattinam Police Station is present before this Court. The Investigating



CrI.O.P.No.27704 of 2022

Officer submits that in this case investigation completed, charge sheet filed before the learned Judicial Magistrate-I, Krishnagiri on 23.06.2023. The charge sheet was filed against four accused, namely, A1-Rajeshwari, A2-Rajiv Gandhi, A3-Surataiyan and A4-Rahamathulla, Doctor for offence under Sections 312 r/w 120-B I.P.C., listing 16 witnesses and materials.

4. Learned counsel for the petitioner submitted that there has been improper investigation, since in the complaint the petitioner named one Sivaranjani, the uncle's daughter of his wife and nurse, who had taken active part in the forcible operation.

5. Learned Additional Public Prosecutor submits that now charge sheet filed before the trial Court. Admittedly, in this case no notice has been given to the petitioner in dropping the name of Sivaranjani, which has been named in the complaint.



CrI.O.P.No.27704 of 2022

WEB COPY

6. In view of the same, the petitioner is given liberty to file a protest petition. Thereafter, it is for the trial Court to consider the same and pass appropriate orders on its own merits. The occurrence had taken place in the year 2020 and for the past three years investigation could not be concluded. Only after filing of the above petition, now the case has gain momentum and final report has been filed in this case. In view of the same, the trial Court is directed to give priority and dispose of the case, preferably within a period of six months from the date of receipt of a copy of this order.

With the above direction, this Criminal Original Petition is disposed of.

26.06.2023

Index : Yes / No

Internet : Yes/No

rsi



CrI.O.P.No.27704 of 2022

WEB COPY

To

1. Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam,
Krishnagiri District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.27704 of 2022

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.27704 of 2022

26.06.2023