



WEB COPY

Crl.O.P.No.22490 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22490 of 2023

S.R.Karthikeyan

... Petitioner

-VS-

1.The State, represented by
the Inspector of Police,
T-9, Pattabiram Police Station,
Pattabiram, Chennai 600 072.
Cr.No.373/2019

2. M. Jagadeesan

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.II, Tiruvallur to dispose of the petition filed by the petitioner herein in Crl.M.P.No.769 of 2022 in C.C.No.170/2020 within any stipulated time

For Petitioner

: Mr.M.V.Kalai Chitram

For Respondent

: Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

The defacto complainant being a practising Advocate, not satisfied with the investigation and final report filed in C.C.No.171 of 2020, had taken out an application before the trial court seeking further investigation.



WEB COPY

2. The matter is now posted for counter by the respondent before the trial court. Meanwhile, the present petition is filed to direct the Judicial Magistrate II, Thiruvallur to dispose the petition seeking further investigation.

3. The learned Govt. Advocate (crl.side) appearing for the respondent submitted that the power under section 173 (8) of Cr.P.C can be exercised by the court only in cases of necessity and in this case, there is no such necessity, however, the matter is posted for filing counter before the trial court and respondent will file their counter on 02.11.2023, the date on which the matter is posted and thus in the light of the above fact, this Criminal Original petition is disposed of directing the Judicial Magistrate No.II, Tiruvallur to consider the counter and pass appropriate orders in accordance with law.

06.10.2023

Internet : Yes/No
Index : Yes/No
msr

To

1.The Inspector of Police,
T-9, Pattabiram Police Station,
Pattabiram, Chennai 600 072.



Crl.O.P.No.22490 of 2



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

WEB COPY



WEB COPY

Crl.O.P.No.22490 of 2



Dr.G.JAYACHANDRAN, J.

msr

Crl.O.P.No.22490 of 2023

06.10.2023