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CrI.OP.No.32350 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.32350 of 2022

and

CrI.M.P.No.19964 of 2022

R.Kalpana

W/o.D.Ramesh

... Petitioner

Vs.

1. The Superintendent of Police,
Tiruppur, Tiruppur District.

2. The Deputy Superintendent of Police,
Udumalpet Taluk, Tiruppur District.

3. The Inspector of Police,
Dhalli Police Station,
Tiruppur District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying to set aside the final report in Spl.S.C.No.28 of 2022 on the file of the learned Principle District Judge, Tiruppur and issue direction for the fresh investigation before any other independent competent investigation agency.

For Petitioner

: Mr.M.Guruprasad

For Respondents

: Mr.A.Damodaran

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for fresh investigation in Crime No.107 of 2022 on the file of third respondent and to quash the final report, which has already been filed before the Court below.



CrI.OP.No.32350 of 2022

2. When the matter came up for hearing on 23.01.2023, this Court passed the following order:

"It is seen from the submissions of the learned counsel for the petitioner that out of the seven eye witnesses cited, six of them are either relatives or close friends of the accused. He further submitted that independent eye witnesses have not been shown as witnesses in this case.

2. Therefore, this Court directs the presence of the Investigating Officer in this case in the next hearing on 06.02.2023."

3. When the matter came up for hearing on 06.02.2023, this Court passed the following order:

"In pursuance of the directions given by this Court on 23.01.2023, the Investigating Officer in this case, namely, Mr.R.Thenmozhiavel is present and he submitted that he would take necessary steps to examine some additional witnesses, who are not relatives to the accused in this case. Therefore, post this matter after two weeks for updated status report."

4. When the matter was taken up for hearing today, a status report has been filed by the second respondent. It is seen from the status report that as directed by this Court, additional witnesses have been examined and their statements have also been recorded.

5. Learned Additional Public Prosecutor further submitted that the further investigation is completed and the supplementary charge sheet will be filed before the Principal District Judge, Tiruppur.



Crl.OP.No.32350 of 2022

6. In the light of the above development, there shall be a direction to the second respondent to file the supplementary charge sheet before the Principal District Judge, Tiruppur and the Principal District Judge, Tiruppur, shall immediately act upon the same and proceed further in accordance with law.

This Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

09.08.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

- 1.The Superintendent of Police,
Tiruppur, Tiruppur District.
- 2.The Deputy Superintendent of Police,
Udumalpet Taluk, Tiruppur District.
- 3.The Inspector of Police,
Dhalli Police Station,
Tiruppur District.
- 4.The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.OP.No.32350 of 2022

N.ANAND VENKATESH, J.

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Crl.O.P.No.32350 of 2022

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