



Crl.O.P.(MD) No.8003 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.8003 of 2023

Asaithambi

... Petitioner

Vs

1. The Superintendent of Police,
O/o the Superintendent of Police,
Thoothukudi, Thoothukudi District.
2. The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Thoothukudi,
Thoothukudi District. Crime No. 20/2012.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records with regard to the final report filed in C.C No. 37 of 2022 on the file of the Learned Judicial Magistrate (Special Court for Land Grabbing Cases), Thoothukudi, Thoothukudi District and to set aside the same and consequently direct the second respondent to conduct further investigation in Crime No.20 of 2012, on the file of the second respondent and to file charge sheet a fresh purged to the representation, dated



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08.02.2023 which had been acknowledged vide Receipt No.595, dated 13.02.2023 by the first respondent.

For Petitioner : Mr. Suresh Kannan.C

For R1 and R2 : Mr.B.Nambiselvan
Additional Government Pleader

ORDER

This Criminal Original Petition had been filed seeking for a direction to call for the records with regard to the final report filed in C.C No. 37 of 2022 on the file of the Learned Judicial Magistrate (Special Court for Land Grabbing Cases), Thoothukudi, Thoothukudi District and to set aside the same and consequently direct the second respondent to conduct further investigation in Crime No.20 of 2012 and to file charge sheet.

2.The grievance of the petitioner is that the crime was of the year 2012, which was registered based upon the complaint given by his father. After completing the investigation, the second respondent Police has filed a final report on 05.10.2022. The same was taken cognizance by the learned Special Judicial Magistrate, Land Grabbing Cases, Thoothukudi in SC No.37 of 2022 and the same is pending. During the trial, the father of the petitioner, who is the defacto complainant died on 19.09.2014 and therefore, he wants to



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be cited as a witness, to depose about the said occurrence.

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3.Let the petitioner be cited as an additional witness by the prosecution, so that the petitioner can prosecute, on behalf of his father. No further investigation is required in this regard. The respondents police can act upon the representation given by the petitioner on 08.02.2023, before the first respondent.

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

27.04.2023

NCC:Yes/No
Internet:Yes/No
Index:Yes/No
PNM
To

1. The Superintendent of Police,
O/o the Superintendent of Police,
Thoothukudi, Thoothukudi District.
2. The Inspector of Police,
District Crime Branch, Anti Land Grabbing Special Cell,
Thoothukudi District. Crime No. 20/2012.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGOVAN, J.

PNM

ORDER IN
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