



Crl.O.P.(MD)No. 12926 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No. 12926 of 2023

J.Ludos Arun

... Petitioner

Vs.

1.The Superintendent of Police,
District Police Office,
Pudukkottai.

2.The Inspector of Police,
Illuppur Police Station,
Illuppur,
Pudukkottai District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order dated 03.02.2023 passed by the learned District Munsif cum Judicial Magistrate, Illuppur, Pudukkottai District, in Cr.M.P.No.3690 of 2022 and consequently direct the 1st respondent to conduct denova investigation by appointing new investigating officer for Cr.No.305 of 2022 on the file of the second respondent police.



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For Petitioner : Mr.R.M.S.Barathi Raja
For Respondents : Mr.SS.Madhavan
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed challenging the order passed by the learned District Munsif cum Judicial Magistrate, Illuppur, Pudukkottai District, on 03.02.2023 in Cr.M.P.No.3690 of 2022 wherein the request of the petitioner for change of investigating officer in respect of investigation of Crime No. 305 of 2022 stated to have been declined.

2. It is submitted by the learned counsel for the petitioner has also submitted that subsequent to passing of the order, dismissing the request of the petitioner in Cr.M.P.No.3690 of 2022 on 03.02.2023, the police have completed the investigation and charge sheet has also filed and it has taken on file before the concerned Court in C.C.No.67 of 2023 dated 05.05.2023.



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3. Once, investigation has already been completed and charge sheet is filed which was also taken on file, the petition filed by the petitioner to change the investigating officer becomes infructuous. Accordingly, this petition to set aside the order passed by the learned District Munsif cum Judicial Magistrate, Illuppur, Pudukkottai District, in Cr.M.P.No.3690 of 2022 dated 03.02.2023, is dismissed. However, the petitioner is at liberty to approach the trial Court and file appropriate application seeking for further investigation, if he is advised so.

19.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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DR.D.NAGARJUN, J.

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To

- 1.The Superintendent of Police, District Police Office, Pudukkottai.
- 2.The Inspector of Police, Illuppur Police Station, Illuppur,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in

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