

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.14838 of 2023

N.Chandramohan

... Petitioner

Vs.

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

2.The Inspector of Police,
Dindigul Town North Police Station,
Dindigul.
(Cr.No.1134/2021)

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue appropriate direction to the authority particularly, to the 2nd respondent to include the petitioner as a witness, record statement of the petitioner and file the final report as per the process of law before the learned Judicial Magistrate No.2, Dindigul in case in Cr.No.1134 of 2021 dated 23.11.2021.

For Petitioner :Mr.S.Sivakumar
For Respondents :Mr.B.Thanga Aravindh
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent police to record the statement of the petitioner under 161 Cr.P.C.,

2.It is submitted by the learned counsel that the petitioner is the potential witness in Crime No.1134 of 2021 and therefore, sought for directions to record his statement. Even according to the petitioner, he has not approached the police or the relevant Magistrate and he has filed an application directly before this Court under Section 482 of the Code of Criminal Procedure.

3.The learned Government Advocate (Crl.side) submits that the investigation in this case has already been completed and the charge sheet was also filed, which was taken on file as CC.No.214 of 2023 by the learned Judicial Magistrate No.2, Dindigul.

4.Once the investigation has already been completed, the prayer sought for by the petitioner directing the respondent police to record his 161 statement

cannot be considered. Accordingly, this Petition is dismissed. However, the petitioner is at liberty to approach the Magistrate concerned and file an application seeking appropriate directions.

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

24.08.2023

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To

- 1.The Judicial Magistrate No.2, Dindigul.
- 2.The Superintendent of Police,
Dindigul District, Dindigul.
- 3.The Inspector of Police,
Dindigul Town North Police Station,
Dindigul.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN. J.

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