



CrI.O.P.(MD) No.13533 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.13533 of 2023

and

CrI.M.P.(MD) No.10561 of 2023

Kadalmani

... Petitioner

Vs.

1.The Inspector of Police,
Pavoorchatram Police Station,
Pavoorchatram,
Tenkasi District.
Crime No.419 of 2020

2.Ramachandran

3.Kalimuthu

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records with regard to the final report in STC.No.1698 of 2022 on the file of the learned Judicial Magistrate, Tenkasi, Tenkasi District and set aside the same and direct the 1st respondent to conduct reinvestigation of the case in Crime No.419 of 2020 on the file of the 1st respondent within a stipulated period as prescribed by this Court to file a fresh report forthwith.



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For Petitioner : Mr.T.Jeen Joseph
For R1 : Mr.SS.Madhavan
Government Advocate (Crl.side)

ORDER

This petition is filed seeking quashment of S.T.C.No.1698 of 2022 on the file of the learned Judicial Magistrate, Tenkasi, Tenkasi District.

2.It is submitted by the learned counsel for the petitioner that originally the petitioner has filed a complaint before the respondent police on 06.08.2020 and the police have not registered a case basing on the said complaint. However, basing on another complaint dated 08.08.2020, the case has been registered by the police, investigated upon and filed the charge sheet.

3.According to the learned Government Advocate (Crl.side), totally there are 7 witnesses and the Court has taken cognizance of the case. It is submitted that the trial is in progress and 3 witnesses so far examined and the case is posted to 01.08.2023 for recording the evidence of L.W7/the Investigating Officer.



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4.The petitioner at the fag end of the trial has approached this Court seeking for reinvestigation of the case. Once the trial of the case is able to be conducted, the petitioner is not expected to file an application seeking further investigation. If at all the petitioner was of the opinion that the investigation was not properly done, he could have approached the trial Court under 173 (8) Cr.P.C., seeking for further direction. Further, the petitioner has not placed any material before the Court, which is mandatory for this Court to order for reinvestigation.

5.Considering the circumstances, this Petition fails in all aspects, thereby dismissed. Consequently, connected Miscellaneous Petition is closed.

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

28.07.2023

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To

1.The Inspector of Police,
Pavoorchatram Police Station,
Pavoorchatram,

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WEB COPY Tenkasi District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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