



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.16536 of 2023

Krishnan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Deputy Commissioner of Police,
Madurai City (South),
Madurai.

3.The Inspector of Police
Thideernagar Police Station,
Madurai City,
Madurai.

4.The Sub Inspector of Police
Thideernagar Police Station,
Madurai City,
Madurai.
(Crime No.315 of 2022)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the third respondent to investigate the case in Crime No. 315 of 2022 registered on the file of fourth respondent with the supervision of second respondent and file final report within the period that may be stipulated by this Court.



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Crl.O.P.(MD)No.16536 of 2023



For Petitioner : Mr.R.Gandhi, Senior Counsel,
for M/s.Gandhi Associates.

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed to direct the third respondent to investigate the case in Crime No.315 of 2022 registered on the file of fourth respondent with the supervision of second respondent and file final report within the period that may be stipulated by this Court.

2. Now the grievance of the petitioner is that while passing the order in Crl.O.P(MD) No.22613 of 2023, dated 31.01.2023, direction was issued to the Inspector of Police, Thideernagar Police Station, Madurai, to take up the investigation in Crime No.315 of 2022 in the place of Sub-Inspector of Police attached to the very same Police Station. Violating the above said order, the Sub-Inspector of Police, Thideernagar Police Station, Madurai, has completed the investigation and filed Charge Sheet against the petitioner, and the same is also taken cognizance by the concerned trial Court.



3. Since there is violation of order passed by this Court, investigation undertaken by the Sub-Inspector of Police, Thideernagar Police Station, Madurai, is nullity one. The third respondent/ Inspector of Police, Thideernagar Police Station, Madurai, is directed to comply the conditions already passed by this Court, take up the further investigation and file Final Report within a period of three months from the date of receipt of copy of this order. Since the investigation undertaken by the Sub-Inspector of Police, Thideernagar Police Station, Madurai, is declared as nullity, no further steps be taken by the learned Judicial Magistrate No.V, Madurai. Let the above said Final Report, which already filed by the Sub-Inspector of Police, Thideernagar Police Station, Madurai, be struck off from the file.

4. With the above said directions, this Criminal Original Petition is disposed of.

10.11.2023

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

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CrI.O.P.(MD)No.16536 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Deputy Commissioner of Police,
Madurai City (South),
Madurai.
- 3.The Inspector of Police
Thideernagar Police Station,
Madurai City,
Madurai.
- 4.The Sub Inspector of Police
Thideernagar Police Station,
Madurai City,
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD) No.16536 of 2023

10.11.2023