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Crl.OP.Nos.2662 and 3081 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Original Petition Nos.2662 and 3081 of 2024
and Crl MP No.2241 & 2242 of 2024 in Crl. OP No.3081 of 2024

Murugasamy

... Petitioner in both the petition

Vs.

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

2. The State rep. by
The Inspector of Police,
CBCID, Thirupur District.

... Respondents 1 and 2
in Crl OP No.2662 of 2024

3. The State rep by
The Inspector of Police,
Dharapuram Police Station,
Thirupur District.
(Crime No.333, 334 of 2019)

4. Sivalingam

... Respondents 3 and 4
in both the petitions

Prayer: Criminal Original Petition is filed under Section 482 of the Code
of Criminal Procedure and Article 21 of the Constitution of India,



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(i) **in Crl OP No.2662 of 2024**: praying to call for the records relating to C.C.No.274 of 2023 on the file of the learned Judicial Magistrate, Dharapuram and set aside the same, consequently direct the second respondent police to further investigate the case in Crime No.333 of 2019 on the file of the third respondent and to file fresh final report.

(ii) **in Crl OP No.3081 of 2024**: praying to call for the records relating to C.C.No.123 of 2023 on the file of the learned Judicial Magistrate, Dharapuram and to quash the same.

For Petitioner : Mr.V.Regunathan
(in both the petitions)

For Respondents : Mr.S.Udaya Kumar
Govt. Advocate (Crl. Side),
for RR 1 to 3 in Crl OP No.2662 of 2024
& for R1 in Crl OP No.3081 of 2024

Mr.K.Myilsamy,
for R4 in Crl OP No.2662 of 2024
& for R2 in Crl OP No.3081 of 2024



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COMMON ORDER

The case and the case in counter are taken up for investigation by the respondent Police in Crime Nos.333 and 334 of 2019. On investigation having found that both are aggressors, the final report was filed and the same has been taken on file by the Judicial Magistrate, Tharapuram in CC No.274 of 2023 and 123 of 2023.

2. It is now stated that both the cases are taken up for joint trial. The petitioner herein, in both the petitions, being aggrieved by the final report filed on his complaint as improper would seek for further investigation and that the prosecution has conducted the investigation and filed two final reports having found that both are aggressors against each other.

3. The Trial Court shall conduct the joint trial as per the direction issued by the Full Bench of this Court in ***Balaji Vs. State of Tamil Nadu*** and complete the trial in accordance with law.



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03.09.2024

jv

Index: Yes/No

Internet: Yes/No

To

1. The Superintendent of Police,
Office of Superintendent of Police,
Thirupur District, Thirupur.
2. The Inspector of Police,
CBCID,
Thirupur District.
3. The Inspector of Police,
Dharapuram Police Station,
Thirupur District.
4. The Public Prosecutor,
High Court of Madras



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Dr.G.JAYACHANDRAN,J.

jv

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