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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.2488 of 2024

K.Shanthi ...Petitioner

Vs.

1.The Assistant Superintendent Police,
Kangkeyam Police Station,
Kangkeyam, Tiruppur.

2.The Inspector of Police,
Kangkeyam Police Station,
Kangkeyam, Tiruppur. ...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent police to further investigation in FIR No.325/2022, on the file of the 2nd respondent police.

For Petitioners : Mr.G.Dakshinamurthy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This criminal original petition has been filed for a direction to the 1st respondent to further investigate the case in Crime No.325 of 2022, pending on the file of the 2nd respondent police.

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2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

3.It is seen that the investigation was conducted in Crime No.325 of 2022 for offence under Sections 279 and 304A of IPC. However, a closure report came to be filed before the learned Judicial Magistrate, Kangeyam.

4.The grievance of the petitioner is that this closure report was filed on 15.07.2022 and whereas, the RCS notice itself was served on the petitioner only on 30.07.2022 and that the investigation had taken place in a very sloppy manner even without informing the defacto complainant about the progress made in the case. Therefore, the learned counsel for the petitioner submitted that this case requires a further investigation/re-investigation and therefore, the petitioner has approached this Court.

5.Taking into consideration the facts and circumstances of the case and the grievance that was expressed by the learned counsel for the petitioner, liberty is granted to the petitioner to file a protest petition before the learned Judicial Magistrate, Kangeyam. The learned Judicial Magistrate shall consider

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the petition and also the final report that has been filed by the police along with all the materials that were collected during the course of investigation. A decision shall be taken by the learned Judicial Magistrate, Kangeyam strictly in accordance with law, within a period of four weeks from the date of filing of the protest petition by the petitioner.

6.This criminal original petition is disposed of with the above directions.

08.02.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
ssr

To

1.The Assistant Superintendent Police,
Kangkeyam Police Station,
Kangkeyam,
Tiruppur.

2.The Inspector of Police,
Kangkeyam Police Station,
Kangkeyam,
Tiruppur.

3.The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH, J

ssr

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