



W.P.No.5453 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.5453 of 2024

G.Ezhumalai

... Petitioner

Vs.

1.The Superintendent of Police,
District Crime Branch,
Villupuram District.

2.The Inspector of Police,
District Crime Branch,
Villupuram District.

3.Ayyanar

4.C.Krishnan

5.Malathy

6.Sivakumar

7.R.Thiyagarajam

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to quash the order dated 07.11.2022 on the file of first respondent and further direct the first respondent to add respondents 3, 4 and 5 in the crime number 29 dated 07.09.2021.

For Petitioner : Mr.J.Joseph Stalin

For Respondents : Mr.A.Damodaran for R1 and R2



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Additional Public Prosecutor

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ORDER

This writ petition has been filed challenging the final report that was filed by the respondent Police by dropping the names of three accused persons in the final report.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor on instructions submitted that final report in this case was filed in the year 2022 and taken on file as C.C.No.104 of 2023 and presently the same is pending before the learned Judicial Magistrate No.I, Tindivanam.

3.In view of the above submission, there is no question of interfering with the final report that was filed in the year 2022 at this stage. If ultimately, during the course of trial the involvement of the other accused persons also surfaces in the light of the materials collected, it will also be left open to the trial Court to exercise the jurisdiction under Section 319 of Cr.P.C. and act on the accused persons in accordance with law. Except giving this clarity, no further orders can be passed in this writ petition.



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4.This writ petition is disposed of in the above terms. No costs.

04.03.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Superintendent of Police,
District Crime Branch,
Villupuram District.
- 2.The Inspector of Police,
District Crime Branch,
Villupuram District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N.ANAND VENKATESH,J.
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