



CrI.O.P.(MD) No.2439 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P(MD)No.2439 of 2024

Sugunadevi

...Petitioner

VS

State represented by
The Inspector of Police,
Somarasampet Police Station,
Trichy District.
(in Cr.No.286 of 2022)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Respondent to complete the investigation in Cr.No.286 of 2022, dated 31.08.2022 and to file a charge sheet within a time frame.

For Petitioner : Mr.T.Lenin Kumar
For Respondent : Mr.M.Veeranthiran
Government Advocate (crl.side)

ORDER

The Criminal Original Petition had been filed seeking a direction against the Respondent Police to complete the investigation in Cr.No.286 of 2022, dated 31.08.2022 and to file a final report before the Court concerned.



Crl.O.P.(MD) No.2439 of 2024

2. When the matter came up for hearing on 16.02.2024, the learned Government Advocate (Crl.side) appearing for the Respondent, on instructions, submitted that the investigation had been completed and charge sheet had also been laid before the learned Judicial Magistrate, Additional Mahila Court, Trichy, on 21.04.2023 and the same had not been taken on file, since the Judicial Magistrate post is vacant.

3. In view of the above, the Registry was directed to call for remarks from the learned Chief Judicial Magistrate, Trichy regarding pendency of the charge sheets, which are all not taken on file.

4. The Registry of this Court has placed the remarks offered by the learned III Additional District Munsif, who is holding full additional charge of the learned Judicial Magistrate, Additional Mahila Court (Magisterial level), Tiruchirappalli in Letter in D.No.184/2024, dated 22.02.2024 and the report of the learned Chief Judicial Magistrate, Tiruchirappalli, in letter D.No.551/2024, dated 22.02.2024. As per the letter of the learned Chief Judicial Magistrate, Tiruchirappalli, the Court of the learned Judicial Magistrate, Additional Mahila Court (Magisterial level), Tiruchirappalli, is



CrI.O.P.(MD) No.2439 of 2024

vacant. For some period, Judicial Magistrate No.I was in-charge till 01.05.2023. Subsequently, the learned Judicial Magistrate No.1 went on maternity leave. Therefore, the learned Judicial Magistrate No.VI, is placed in-charge till 29.01.2024. Subsequently, the learned III Additional District Munsif is holding the full additional charge of the learned Judicial Magistrate, Additional Mahila Court (Magisterial level), Tiruchirappalli, till date.

5.As per the remarks of the learned III Additional District Munsif, who is holding full additional charge of the learned Judicial Magistrate, Additional Mahila Court (Magisterial level), Tiruchirappalli, the Investigation Officer had filed alteration report altering the charge under Section 173(3) Cr.P.C., into Section 306 IPC. He had filed Observation Mahazar, rough sketch, inquest report and 161(3) Cr.P.C., statements of the witnesses on 10.10.2022. The postmortem report was received in the Court on 04.11.2022. The Investigation Officer arrested the accused, Karthikeyan and Janakiraman. They were remanded. Subsequently, they were enlarged on bail. The dying declaration recorded by the learned Judicial Magistrate No.VI, was also submitted in the Court. But, the draft final report alone had



Crl.O.P.(MD) No.2439 of 2024

not been submitted till date.

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6.Today, when the matter is taken up for hearing, the learned Government Advocate (Crl.side) furnished the CD file of the Inspector of Police, Somarasampettai Police Station. On perusal of the CD file, it is found that investigation had almost been completed.

7.Considering the submission made by the learned Government Advocate (Crl.side) and taking into consideration the remarks offered by the learned III Additional District Munsif, who is holding full additional charge of the learned Judicial Magistrate, Additional Mahila Court (Magisterial level), Tiruchirappalli, the ***Criminal Original Petition*** closed. The Respondent Police is directed to complete the investigation and file final report as expeditiously as possible.

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

23.02.2024

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CrI.O.P.(MD) No.2439 of 2024

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To

- 1.The Chief Judicial Magistrate, Tiruchirappalli.
- 2.The Judicial Magistrate,
Additional Mahila Court (Magisterial level), Tiruchirappalli.
- 3.The Inspector of Police,
Somarasampet Police Station,
Trichy District.



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Crl.O.P.(MD) No.2439 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

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CRL.O.P(MD)No.2439 of 2024

23.02.2024