



Crl.O.P.(MD) No.3454 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.01.2024

CORAM:

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD) No.3454 of 2021

and

Crl.M.P(MD)No.1914 of 2021

R.Elavarasan

... Petitioner

Vs.

- 1.The Principal Secretary,
Department of Home Affairs,
State of Tamil Nadu,
Fort St.George, Chennai – 9.
- 2.The Director General of Police,
No.1 Dr.Radhakrishna Salai,
Mylapore,
Chennai – 600 004.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
- 4.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Palani,
Dindigul District.
- 5.The Superintendent of Police (South Zone),
Office of the Superintendent of Police (South Zone),
CBCID,
Madurai.



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6.The Inspector of Police,
Palani Town Police Station,
Dindigul District,
(Crime No.439 of 2018)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to issue a direction directing the second respondent to initiate a fresh, de nova or re-investigation in Crime No.439 of 2018 dated 05.07.2018 registered under Section 307 of I.P.C on the file of the fifth respondent and conduct fresh investigation by a Competent Officer or any other independent investigating agency and file a final report afresh before the Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner : Mrs.T.Seeni Syed Amma
For M/s.Lajapathi Roy Associates

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent to re-investigate the case in Crime No.439 of 2018 dated 05.07.2018 registered for an offence under Section 307 of I.P.C on the file of the sixth respondent, the Inspector of Police, Palani Town Police Station, Dindigul District.



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2. The contention of the petitioner is that he is facing threat of life from his wife and in this regard, he filed a complaint with the second respondent Police on 17.06.2018. A case was registered in Crime No.439 of 2018 by the Inspector of Police, Palani Town Police Station and a final report was also filed against the wife of the petitioner before the Judicial Magistrate, Palani. The grievance of the petitioner is that though the paramour of his wife also committed the offence under Section 307 IPC, he has not been shown as an accused in the final report. Aggrieved over the same, the petitioner has filed the present Criminal Original Petition seeking a direction to the respondent Police to reinvestigate the matter.

3. The learned Additional Public Prosecutor appearing on behalf of the respondents contended that after filing of this Criminal Original Petition, the Additional Superintendent of Police, Dindigul conducted an enquiry and the Judicial Magistrate, Palani also directed the Inspector of Police, Palani Town Police Station to reinvestigate the case. According to him, the reinvestigation is still going on.



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4. In such circumstances, this Criminal Original Petition is disposed of with a direction to the sixth respondent Police to complete the investigation within a period of one (1) month from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

03.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Principal Secretary,
Department of Home Affairs,
State of Tamil Nadu,
Fort St.George, Chennai – 9.
- 2.The Director General of Police,
No.1 Dr.Radhakrishna Salai,
Mylapore,
Chennai – 600 004.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.



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- 4.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Palani,
Dindigul District.
- 5.The Superintendent of Police (South Zone),
Office of the Superintendent of Police (South Zone),
CBCID,
Madurai.
- 6.The Inspector of Police,
Palani Town Police Station,
Dindigul District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R. HEMALATHA, J.

Nsr

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