



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **06.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

CrI.O.P.(MD) No.6876 of 2022
and CrI.M.P(MD).No.4754 of 2022

Jestin

... Petitioner

Vs.

- 1.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.
- 2.The Additional Superintendent of Police,
Thoothukudi.
- 3.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.
- 4.The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
Crime No.331 of 2018

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the closure report in F.R.No.FR-454/2019 dated 20.12.2019 in Crime No.331/2018 on the file of the fourth respondent and set aside the same and direct the above case in Crime No.331/2018 dated 16.10.2018 to be re-investigated by an independent investigating agency of any District within the State of Tamil Nadu.



For petitioner : Mr.B.N.Raja Mohamed
For Respondents : Mr.S.Manikandan
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the closure report filed in F.R.No.FR-454/2019 dated 20.12.2019 in Crime No.331/2018 on the file of the fourth respondent and set aside the same and direct any Investigating Agency to re-investigate the case in Crime No.331/2018.

2. The learned counsel appearing for the petitioner submits that the petitioner's brother was a Journalist and one Mahendran, the Sub-Inspector of Police has registered a false case in Crime No.323 of 2018 against the petitioner's brother and took the petitioner's brother in a custodial interrogation, wherein, the petitioner's brother was murdered. Hence, the petitioner has made a complaint and a case in Crime No.331 of 2018 was registered for the offence punishable under Section 174 Cr.P.C by the fourth respondent Police. Being aggrieved by the inaction of the fourth respondent Police, the petitioner has filed a petition in Crl.O.P(MD).No.19580 of 2018 before this Court seeking transfer of investigation and this Court, vide order dated 25.01.2019, has disposed



of the said petition transferring the investigation of the case from the file of the fourth respondent to the third respondent Police. However, the third respondent Police has not conducted the investigation properly and filed a closure report, by referring the case as further action dropped. Aggrieved by the same, this Petition has been filed.

3. From the submission made by the learned counsel appearing for the petitioner, it reveals that at the instance of the petitioner, the case in Crime No.331 of 2018 was transferred from the file of the fourth respondent to the third respondent Police and after conducting the investigation properly, the third respondent Police has filed a closure report as action dropped. Therefore, no interference is required by this Court with the closure report filed by the third respondent Police. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.

4. Accordingly, this Criminal Original Petition is disposed of. Connected miscellaneous petition is closed.

06.02.2024

Index : Yes/No
Internet : Yes/No
ssb



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To

- 1.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.
- 2.The Additional Superintendent of Police,
Thoothukudi.
- 3.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.
- 4.The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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