



Crl.O.P.(MD)No.13331 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13331 of 2024

Jeyakumar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kovilpatti, Thoothukudi District.

3.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No.220 of 2024)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to withdraw the case in Crime No.220 of 2024 on the file of the third respondent and entrust the same to the any other official other then third respondent for complete the investigation and file charge sheet within the time stipulated by this Court.



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For Petitioner : Mr.S.Ramesh Kumar
For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the first respondent to withdraw the case in Crime No.220 of 2024 on the file of the third respondent and entrust the same to any other official other than the third respondent for complete the investigation and file charge sheet within the time stipulated by this Court.

2. It is seen from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.220 of 2024 against three persons.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that though FIR came to be registered for the offences under Sections 294(b), 324 and 506(2) IPC, after initial investigation the case was altered and the offence under Section 307 IPC was included, that the first accused was already arrested and that they have examined 8 witnesses and investigation is pending.



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4. The learned counsel appearing for the petitioner would submit that the third respondent, without any basis, has deleted the accused 2 and 3 in the FIR.

5. Considering the above, the petitioner is directed to give a representation along with materials to show the involvement of the accused 2 and 3, if any to the third respondent and the third respondent is directed to proceed with the investigation in Crime No.220 of 2024 taking note of the representation given by the petitioner with regard to the involvement of the accused 2 and 3 and complete the same and file a final report within a period of three months from the date of receipt of a copy of this order. The second respondent is directed to monitor the investigation.

6. With the above directions, this Criminal Original Petition stands disposed of.

14.08.2024

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



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K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kovilpatti, Thoothukudi District.
- 3.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.13331 of 2024

Dated: 14.08.2024