



Crl.O.P.(MD)No.15039 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15039 of 2024

and

Crl.M.P.(MD)No.9419 of 2024

Arumugam

... Petitioner

Vs.

1.The Additional Director General of Police,
Crime Branch Crime Investigation Department (CBCID),
No.220, Pantheon Road,
Egmore,
Chennai-600 008.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.

3.The Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records connected with the case in C.C.No.164 of 2023
pending on the file of the learned Judicial Magistrate, Gandarvakottai



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and set aside the same in Crime No.230 of 2023 on the file of the third respondent, consequently direct the third respondent to conduct further investigation in Crime No.230 of 2023 on the file of the third respondent and file final report afresh before the learned Judicial Magistrate, Gandarvakottai.

For Petitioner : Mr.Dr.R.Alagumani

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to call for the records connected with the case in C.C.No.164 of 2023 pending on the file of the Judicial Magistrate, Gandarvakottai and set aside the same in Crime No.230 of 2023 on the file of the third respondent and consequently direct the third respondent to conduct further investigation in Crime No.230 of 2023 and file final report afresh before the Judicial Magistrate, Gandarvakottai.

2. The learned counsel appearing for the petitioner would submit that the petitioner has suspected that his late brother's wife Sumathi and his son Prasath and one henchman Veeramani had committed the murder of the petitioner's mother.



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3. When the matter was taken up earlier, the main contention of the petitioner was that the police has not collected the CDR particulars.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that they have gathered the CDR particulars with regard to the petitioner's brother's wife and son and the henchman Veeramani and there are no materials to connect them with the alleged occurrence and he has also produced the copy of the CDR.

5. It is evident from the records that the third respondent, after completing the investigation, has filed the final report for the offence under Section 304(A) IPC against one Pandidurai. The petitioner has not shown any other circumstances or materials to take different stand than that of the prosecution. Hence, this Court is not inclined to issue any direction as claimed by the petitioner.

6. In the result, this Criminal Original Petition stands dismissed. The petitioner is at liberty to file a protest petition, if so advised.



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Consequently, connected Miscellaneous Petition is closed.

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26.09.2024

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

To

- 1.The Additional Director General of Police,
Crime Branch Crime Investigation Department (CBCID),
No.220, Pantheon Road,
Egmore,
Chennai-600 008.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.
- 3.The Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.15039 of 2024
and
Crl.M.P.(MD)No.9419 of 2024

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