



Crl.O.P.(MD)No.23295 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.23295 of 2023

Muthuramalingam

...Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Deputy Superintendent of Police,
Kovilpatti Sub-Division,
Thoothukudi District.
3. The Inspector of Police,
Nalattinuthur Police Station,
Thoothukudi District.
(Crime No.44 of 2016)
4. Mani

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents 1 to 3 to file a Final Report before the Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Thoothukudi forthwith in Crime No.44 of 2016.



Crl.O.P.(MD)No.23295 of 2023

For Petitioner : Mr.A.Robinson

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed seeking for direction against the Respondents to file a final report.

2. The learned Additional Public Prosecutor submitted that an FIR was registered on 03.02.2016 and the investigation was closed by filing refer chargesheet before the Court of the learned Judicial Magistrate. The Petitioner is directed to approach the Court of the learned Judicial Magistrate, the 2nd Additional District Court (P.C.R), Tirunelveli to file appropriate petition.

3. From the submission of the learned Counsel for the Petitioner, it is found that he had been kept in the dark by the Court concerned. When the investigation officer filed a report by dropping the investigation, the Court has to issue notice to the De-Facto complainant regarding the dropping of investigation by the Investigation Officer and to hear the objection of the de-facto complainant. Here, in this case, the Court has not acted fairly.



Crl.O.P.(MD)No.23295 of 2023

Therefore, the learned 2nd Additional District Court (P.C.R), Tirunelveli shall afford an opportunity to the Petitioner herein to file appropriate petition.

4. Recording the said submission, this Criminal Original Petition is disposed of.

03.01.2024

Index : Yes/No

Internet: Yes/No

jbr

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Deputy Superintendent of Police,
Kovilpatti Sub-Division,
Thoothukudi District.
3. The Inspector of Police,
Nalattinpathur Police Station,
Thoothukudi District.
(Crime No.44 of 2016)
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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