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*Crl.O.P.No.5970 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 5970 of 2024

and

Crl.M.P.No.4352 of 2024

R.Geetha

... Petitioner

Vs.

The State  
Rep. by the Inspector of Police,  
Hasthampatty Police Station,  
Salem District.

.. Respondent

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned order passed in Crl.M.P.No.969 of 2024 on the file of the Judicial Magistrate No.III, Salem, dated 21.02.2024 and to set aside the same and consequentially to direct further investigation in C.C.No.1506 of 2023 now pending trial on the file of the Judicial Magistrate No.III, Salem.

For Petitioner : Mr. V.Karthic

Senior Counsel for Mr.G.Gunasekaran

For Respondent : Mr. K.M.D.Muhilan



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Government Advocate (Crl.Side)

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**ORDER**

This Criminal Original Petition has been filed challenging the order passed by the Court below in Crl.M.P.No.969 of 2024 dated 21.02.2024 dismissing the application filed by the petitioner seeking for monitoring the investigation on the ground that effective investigation was not done in this case.

2. The case of the prosecution is that on 21.08.2023, A1 & A2 are said to have entered into the petitioner's property and abused the petitioner and forced the petitioner to withdraw the partition suit, which was filed against the petitioner's brother-in-law and others and it was pending before the III Additional District Court, Salem. That apart, the petitioner was also locked inside the house in order to prevent the petitioner from attending the Court hearing. Under these circumstances, the petitioner gave a compliant before the respondent and based on the complaint lodged by the petitioner, an FIR was registered in Crime No.547 of 2023 on the file of the respondent for the offences under



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Section 294(b), 342, 506(i), and 109 of IPC.

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3. The learned counsel for the petitioner would submit that while pending the investigation by the respondent, the petitioner had filed a petition on 01.11.2023 in Crl.M.P.No.969 of 2023, seeking for the relief to monitor the investigation conducted by the respondent on the ground that the petitioner had already handed over the pen drive by copying the CCTV footages explaining in what extent the petitioner was threatened by the accused persons. The petitioner also lodged a complaint against her own son and her daughter-in-law. The Court below dismissed the application on the ground that the facts of the case does not require any monitoring of the investigation. Further, he would submit that the learned Magistrate ought not to have allowed the respondent to file a final report since the prayer of the petitioner to monitor the investigation was pending consideration before the same Court. Hence, the petitioner filed the present petition for passing appropriate orders.



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4. Mr.K.M.D.Muhilan, learned Government Advocate appearing for the respondent would submit that, after completion of elaborate and detailed investigation based on the statement of witness, material evidence viz., CCTV footages available in the pen drive, the Sub Inspector of Police had filed a charge sheet against the accused persons and the same was taken on cognizance vide C.C.No.1506 of 2023 dated 28.12.2023, which is pending for trial. Though the nomenclature of the petitioner was to the effect that the investigation has to be monitored, the grievance of the petitioner is that the investigation was not properly done, to which, the learned Government Advocate submitted that the pen drive was not a part and parcel of the charge sheet filed before the Trial Court and there is no investigation with regard to CCTV footages available in the pen drive.

5. Heard the learned counsel on either side and perused the materials available on record.



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6. Considering the submissions made by the learned counsel on either side and on perusal of the records, this Court issues a direction to the respondent to conduct further investigation on the CCTV footages available and relied upon by the petitioner in respect of C.C.No.1506 of 2023, pending on the file of the Judicial Magistrate No.III, Salem and the respondent is also directed to file an additional report, if any, in Crime No.547 of 2023, within a period of twelve (12) weeks from the date of receipt of a copy of this order. Till such time, the trial Court is directed to keep the trial in abeyance.

7. With the above directions, this Criminal Original Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

27.02.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
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**G.K.ILANTHIRAIYAN, J.**  
Jd

To

1. Learned Judicial Magistrate No.III,  
Salem.
2. The Inspector of Police,  
Hasthampatty Police Station,  
Salem District.
3. The Public Prosecutor,  
High Court, Madras.

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