



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.R.C.No.1835 of 2025

N. Nandhagopal

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Sooramangalam Police Station,
Salem District

... Respondent

PRAYER : This petition is filed under Section 438 r/w 442 of BNS against the order dated 11.07.2025 made in Crl.M.P.No.2471 of 2023 in C.C.No. 415 of 2014 on the file of learned Judicial Magistrate No.II of Salem.

For Petitioner : Mr.B.Mohan

For Respondent : Dr.C.E.Pratap,
Government Advocate

ORDER

This Criminal Revision Petition has been filed against the order dated 11.07.2025 made in Crl.M.P.No.2471 of 2023 in C.C.No. 415 of 2014 on the file of learned Judicial Magistrate No.II of Salem.

2. The facts of the case is that the petitioner has filed a petition under Section 173(8) of the code of Criminal Procedure, 1973 praying this Court for a direction for further investigation in Crime No.602 of 2012 in C.C.No.415 of



2014 on the file of the Court of the Judicial Magistrate No.II at Salem and the same dismissed on 11.07.2025 on the ground that the Court does not have any powers to order re-investigation or de-nova investigation. If the petitioner wants re-investigation in the matter ,he has to approach the appropriate Constitutional Court. Hence, the petitioner is before this Court.

3. The learned counsel for the petitioner submits that the court below have not considered the material aspects that have been suppressed by the respondent police during the Course of investigation. He further submits that the learned Trial Judge ought to have allowed the application and he has erred in dismissing the application. Hence, prays to allow this petition.

4. The learned Government Advocate submits that the F.I.R was lodged in the year 2012 and the petitioner has filed the petition for re-investigation in the year 2023 in Crl.M.P.No.2471 of 2023 i.e after a lapse of 11 years which is not acceptable one. Further the issue is only with regard to a partition of the subject property among the family members. Hence prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.



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6. On a perusal of records it is seen that the F.I.R was lodged on 28.09.2012 and the petitioner has filed a petition for re-investigation only in the year 2023 as submitted by the learned Government Advocate. If the petitioner is not satisfied with the manner in which the investigation was conducted, he would have approached the Court earlier, after the completion of the investigation, rather he has approached the Court below for re-investigating the entire case after a lapse of 11 years.

7. In view of the above it is made clear that there is no merits in the submissions made by the petitioner and the same deserves to be dismissed. Hence, this petition is dismissed.

24.10.2025

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To

1. The Judicial Magistrate No.II of Salem.
2. The Public Prosecutor, High Court of Madras.

T.V.THAMILSELVI, J.



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