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Crl.R.C.No.2025 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2025 of 2025 & Crl.M.P.No.19070 of 2025

Selvakumar

... Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
(Crime No.80 of 2020)

... Respondent

Prayer: Criminal Revision Petition filed under Section 438 read with 442 of BNSS, praying to call for the records and set aside the order passed in C.M.P.No.04 iof 2025 in S.C.No.21 of 2022 dated 09.07.2025 by the learned Assistant Sessions Judge, Udumalpet

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Dr.C.E.Pratap,
Government Advocate (Crl. Side)

ORDER

The petitioner challenges the Order of dismissal of the petitioner's petition filed seeking further investigation under section 173 of BNSS.



2. It is the case of the petitioner/ defacto complainant that six accused were involved in the occurrence; that the respondents without conducting proper investigation had deleted three accused in the final report; that the confession of the co-accused reveals that three other accused were also responsible for the injuries sustained by the petitioner; and that unless further investigation is ordered, the petitioner would be denied justice.

3. The learned Additional Public Prosecutor, per contra, submitted that the final report was filed in the year 2022; that the petitioner was already examined as P.W.1 in the year 2024; that thereafter, the petitioner had filed a petition under section 319 Cr.P.C. to summon the other three accused; that the said petition was dismissed by the Sessions Court on 04.01.2025; that without challenging the said Order, the petitioner had sought for further investigation at the belated stage; and that therefore, the Sessions judge is justified in dismissing the petition filed by the petitioner.

4. Admittedly, the prosecution had closed its evidence and the case is now posted for examination of defence witness. The petitioner had not sought for further investigation immediately after filing of the final report. The petitioner under Section 319 Cr.P.C had sought for summoning the other three accused, who, according to him, were also involved in the offence in



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Crl.M.P.No.01 of 2024 before the trial Court. The said petition came to be dismissed on 04.01.2025 and the petitioner had not challenged the same.

Hence, this Court is of the view that there is no infirmity in the Order passed by the learned Sessions Judge in dismissing the petition filed for further investigation at this stage.

5. Accordingly, this revision is dismissed. Consequently, connected miscellaneous petition is closed.

04.12.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No

vrc

To

1. The Assistant Sessions Judge,
Udumalpet.
2. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

VRC

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