
(2010) 11 MAD CK 0334

In the Madras High Court

Case No : Criminal O.P. (MD) No. 13628 and M.P. (MD) No. 1 of 2010

N. Kamalaveni

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 16-11-2010

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 173

Citation : (2010) 11 MAD CK 0334

Hon'ble Judges : G. Rajasuria, J

Bench : Single Bench

Advocate : K. Baalasundharam, for the Appellant; R.M. Anbunithi, Government Advocate, for the Respondent

Judgement

G. Rajasuria, J.—This petition has been filed to direct the learned Judicial Magistrate No. I, Ramanathapuram to direct the second Respondent to conduct further investigation in respect of Cr. No. 166 of 2009 on the file of the first Respondent.

2. The learned Counsel for the Petitioner would submit that the police after performing a defective investigation, filed a perfunctory charge sheet before the learned Magistrate concerned and the same was taken on file.

3. Heard both sides.

4. In these circumstances, I would like to issue the following direction: The Petitioner is permitted to appear before the learned Magistrate concerned within a period of ten days from the date of receipt of a copy of this order and file an application u/s 173(8) Cr.P.C., for further investigation, whereupon the learned Magistrate who has got the power to consider the same and pass orders and in the event of the Magistrate exercising his discretion to order further investigation, he shall also take it for granted that he has got power to order some other agency also to do further investigation.

5. With the above direction, this Petition is disposed of. Consequently, connected

Miscellaneous Petition is also closed.