

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.15130 of 2015

K.R.Jothi

.. Petitioner

Vs

1.The Superintendent of Police,
Cuddalore
Cuddalore District.

2.The Inspector of Police,
Nellikuppam Police Station,
Nellikuppam Circle,
Cuddalore District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to transfer the Crime No.597 of 2014 from the file of the second respondent to any other Investigating Agency to investigate the offence and file final report.

For Petitioner :Mr.K.A.Ravindran

For Respondents :Mr.Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Seeking a direction to the first respondent police to transfer the Crime No.597 of 2014 from the file of the second respondent to any other Investigating Agency to investigate the offence and file final report, the petitioner has come up with this petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.It is represented by the learned Additional Public Prosecutor that investigation has been completed in Crime No.597 of 2014 and RC was served on the petitioner. When the petitioner has filed protest application before the learned Judicial Magistrate I, Cuddalore, the learned Magistrate has returned it on the ground that the Inspector of Police has not filed referred charge sheet in the Court.

4.Under such circumstances, this Court directs the Inspector of Police to file the report before the learned Judicial Magistrate I, Cuddalore, after serving a copy on the petitioner. The petitioner is at liberty to file protest application and the same shall be considered in the light of the law laid down by the Supreme Court in Vinay Thyagi Vs. Irshad Ali (2013) 5 Sc 762.

5.This Criminal Original Petition is closed with the above direction.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
Cuddalore
Cuddalore District.
- 2.The Inspector of Police,
Nellikuppam Police Station,
Nellikuppam Circle,
Cuddalore District.
- 3.The Judicial Magistrate No.1, Cuddalore.
- 4.-Do- Thro The Chief Judl.Magistrate, Cuddalore.
- 5.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.K.A.Ravindran , Advocate Sr.No.30695

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rj(co)
pmk.1.7.2015

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