

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.18260 of 2015

S. Nivetha

...Petitioner

Vs.

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam.
2. The Inspector of Police,
Perambur Police Station,
Perambur,
Nagapattinam District.
3. The Deputy Superintendent of Police,
Crime Branch C.I.D.,
Nagapattinam,
Nagapattinam District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to transfer the investigation in Crime No.233 of 2015 on the file of the 2nd respondent to the file of third respondent and direct him to conduct a fair and proper investigation into the complaint against Prasanth and others in accordance with law.

For Petitioner : Mr.S.Ayyathurai

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For Respondents : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to transfer the investigation in Crime No.233 of 2015 on the file of the 2nd respondent to the file of third respondent and direct him to conduct a fair and proper investigation into the complaint against Prasanth and others in accordance with law.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. It is seen that the respondent police have registered a case in Crime No.233 of 2015 and after completing the investigation, they have filed a closure report before the learned Judicial Magistrate No.II, Mayiladurai. The RCS notice has also been affixed on the door of the defacto complainant's house and in such circumstances, liberty is given to the defacto complainant to file a protest application before the learned Judicial Magistrate No.II, Mayiladuthurai and on such application being filed, the learned Judicial Magistrate No.II, Mayiladuthurai, is directed to dispose of the same in accordance with law laid down by the Supreme Court in Vinay Tayagi V. Irshad Ali Alias Deepak and others reported in 2013(5) SCC 762.

With the above direction, the criminal original petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/
सत्यमेव जयते

Sub Asst. Registrar

To

1. The Judicial Magistrate No.II
Mayiladuthurai.
2. The Superintendent of Police,
Nagapattinam District,
Nagapattinam.

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3. The Inspector of Police,
Perambur Police Station,
Perambur,
Nagapattinam District.
4. The Deputy Superintendent of Police,
Crime Branch C.I.D.,
Nagapattinam,
Nagapattinam District.
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ayyathurai, Advocate sr.no.37106

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srg 28.07



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