

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2015

C O R A M

THE HONOURABLE Mr. JUSTICE P.N.PRAKASH

CRL.OP.No.19037 of 2015

P.Swamy

...Petitioner

Vs.

1.Superintendent of Police,
Erode, Erode District.

2.The Inspector of Police
Town Police Station,
Erode District.

(Cr.No.566 of 2011)

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to directing the first respondent to transfer investigation in Crime No.566 of 2011 on the file of the second respondent to any other independent investigation agency to conduct the investigation in the manner known to law and further direct to file the final report within a stipulated time.

For Petitioner : Mr.T.Balaji

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

O R D E R

This Criminal Original Petition has been filed to direct the first respondent to transfer investigation in Crime No.506 of 2011 on the file of the second respondent to any other independent investigation agency to conduct the investigation in the manner known to law.

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

3. It is seen that the police have completed the investigation in Crime No.566 of 2011 and they have closed the case as 'Mistake of Fact' on 10.05.2011. However, they have not filed the closure report before the learned Judicial Magistrate.

4.Under such circumstances, the respondent police is directed to file a closure report, before the concerned Judicial Magistrate, after serving the RCS notice on the petitioner and the petitioner is also at liberty to file the protest application, before the concerned Magistrate in accordance with law.

With the above observation, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1.Superintendent of Police, Erode, Erode District.
- 2.The Inspector of Police, Town Police Station, Erode District.
3. The Public Prosecutor, High Court, Madras.

1 cc to Mr.T.Balaji , Advocate Sr.No.32744

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gj (co)
pmk.14.8.2015



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