

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.26672 of 2015 &
M.P.Nos.1 to 3 of 2015

R.Kamalanathan.

... Petitioner

Vs

1. The State

Rep by the Inspector of Police,
City Crime Branch,
Tirupur District.

2. The Commissioner of Police,
Tirupur City, Tirupur.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to withdraw the case in Crime No. 14/2014 on the file of the City Crime Branch, Tirupur and transfer the same to Land Grabbing cell in Coimbatore.

For Petitioner : Mr.V.Vijayakumar,
For Respondents: Mr.C.Emalias,
Addl. Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking for a direction to withdraw the case in Crime No. 14/2014 on the file of the City Crime Branch, Tirupur and transfer the same to Land Grabbing cell in Coimbatore.

2. The petitioner is the defacto complainant, who lodged a complaint against one S.Janarthanan, Shanmugamani, Nagaraja Manikkam and others for the alleged offences punishable under Sections 406, 420, 467, 471 and 120(B) IPC. The grievance of the petitioner is that though the said complaint was registered as in Crime No.14 of 2014 as early as on 15.07.2014, till date no considerable progress since no investigation has been conducted by the respondent/police. Moreover, the allegations against the accused pertain to the land grabbing, the petitioner seeks direction to transfer the case to the Land Grabbing Cell, Coimbatore.

3. When the matter is taken up for consideration, the learned Additional Public Prosecutor has submitted that on completion of the investigation, the respondents/police closed the same as 'mistake of fact' and also filed referred charge sheet in R.C.S.No.4 of 2015.

4. Recording the submission made the learned Additional Public Prosecutor to the effect that the case in Crime No.14 of 2014 was investigated by the respondent police and the same was referred as 'mistake of fact', the criminal original petition is dismissed. Consequently, connected MPs are closed. However, the petitioner is at liberty to seek alternative remedy in the manner known to law, if he is so advised. Consequently, miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
City Crime Branch,
Tirupur District.

2. The Commissioner of Police,
Tirupur City, Tirupur.

3. The Public Prosecutor,
High Court, Madras-104.

+1cc to Mr.V.S. Kesavan, Advocate, S.R.No.64275

+1cc to Mr.V. Vijayakumar, Advocate, S.R.No.63752

VS(CO)
EU(11/01/2016)

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