



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CRL.O.P(MD)No.15075 of 2015

M.Rajendran

...Petitioner/De-facto complainant

.vs.

1. The State, represented by
The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Deputy Superintendent of Police,
Tiruchendur Sub-Division,
Thoothukudi District.
3. The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
(Crime No.195 of 2015)
4. The Inspector of Police,
Tiruchendur Temple Police Station,
Thoothukudi District.

..Respondents/Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code praying this Court for transfer of investigation in Crime No.195 of 2015 from the file of the third respondent to the file of the fourth respondent and consequently to direct the fourth respondent to conduct proper investigation in an expeditious manner and to file a final report within the stipulated time prescribed by this Court.

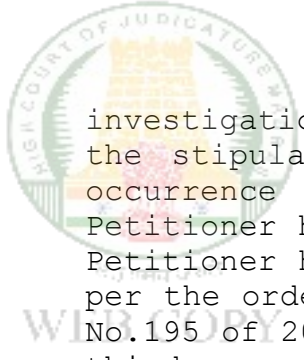
For Petitioner : M/s.R.Anan d

For Respondents : Mr.P.Kannithevan
Govt.Advocate(Crl.side)

ORDER

Heard the learned counsel for the Petitioner and the learned Government Advocate(Crl.Side) appearing for the respondents/State and perused the records.

2.The learned counsel for the Petitioner has come forward with this application for transfer of investigation in Crime No.195 of 2015 from the file of the third respondent to the file of the fourth respondent and consequently to direct the fourth respondent to conduct proper



investigation in an expeditious manner and to file a final report within the stipulated time prescribed by this Court stating that the alleged occurrence said to be taken place on 21.5.2015. Even though the Petitioner has given a complaint, the same was not registered. Hence the Petitioner has approached this Court in Crl.O.P(MD)No.7092 of 2015 and as per the order passed in the said Crl.O.P, a case was registered in crime No.195 of 2015 under Sections 294(b) and 506(ii) IPC on 26.5.2015 and the third respondent has not shown any interest to investigate the same and he is hand in glove with the accused. Hence the Petitioner has come forward with this Petition for transfer as stated supra.

3.At this juncture, the learned Government Advocate(Crl.Side) would submit that already investigation was over and closed as mistake of fact on 28.5.2015 after serving RCS notice on the Petitioner.

4.Recording the said submission, this Criminal Original Petition is dismissed as infructuous, since final report has been filed as mistake of fact.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Deputy Superintendent of Police,
Tiruchendur Sub-Division,
Thoothukudi District.
3. The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
(Crime No.195 of 2015)
5. The Inspector of Police,
Tiruchendur Temple Police Station,
Thoothukudi District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.15075 of 2015
04.08.2015

vsn

NS/18.08.2015 : 2p/7c