



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD).No.2239 of 2015

and M.P.(MD)No.1 of 2015

M.Natasan

... Petitioner

Vs.

1.The Commissioner of Police,
O/o.The Commissioner of Police,
Tirunelveli City,
Tirunelveli 627 001.

2.The Deputy Superintendent of Police,
CBCID, Narimedu,
Madurai District.

3.The Inspector of Police,
Pettai Police Station,
Tirunelveli,
Tirunelveli District.
(Crime NO.950 of 2013)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents No.1 to withdraw the case in Crime No.950 of 2013 U/ss.406, 468, 471, 477(A)) and 120(b) of IPC on the file of Respondent No.3 dated 15.10.2013 and entrust the same to Respondent No.2 for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

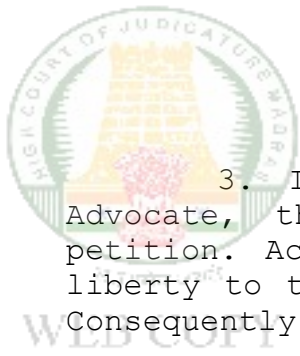
For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs.S.Prabha
Govt. Advocate (Crl.side)

O R D E R

The petitioner approaches this Court with a prayer to direct the respondents No.1 to withdraw the case in Crime No.950 of 2013 U/ss.406, 468, 471, 477(A)) and 120(b) of IPC on the file of Respondent No.3 dated 15.10.2013 and entrust the same to Respondent No.2 for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

2. The learned Government Advocate (Crl.side) submitted that after due investigation, the respondents police referred the matter as "Mistake of Fact" and R.C.S. notice was served on the petitioner.



3. In view of the submissions made by the learned Government Advocate, this Court is of the view that nothing survives in this petition. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to work his remedy in the manner known to law. Consequently, M.P.(MD)No.1 of 2015 is dismissed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar(C.S.)

To

- 1.The Commissioner of Police,
O/o.The Commissioner of Police,
Tirunelveli City,
Tirunelveli 627 001.
- 2.The Deputy Superintendent of Police,
CBCID, Narimedu,
Madurai District.
- 3.The Inspector of Police,
Pettai Police Station,
Tirunelveli,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TS/06.05.2015/2P-5C

Cr1.O.P. (MD)No.2239 of 2015

17.04.2015