

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.7736 of 2016

R.Sankar

..Petitioner

Vs

1.The Superintendent of Police
O/o Superintendent of Police
Karaikal.

2.The Inspector of Police
Town P.S., Karaikal.

3.Sekar

4.Zaheer Hussain
Sub Inspector of Police
Town P.S., Karaikal.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation in Cr.No.110/2015 on the file of the 2nd respondent to some other agency.

For Petitioner : Mr.S.Prem Auxilianraj

For Respondents : Mr.A.Govindarajan [For RR1 and 2]
Addl.Public Prosecutor(Puducherry)

O R D E R

This petition has been filed to transfer the investigation in Cr.No.110/2015 on the file of the 2nd respondent to some other agency.

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

3. When the matter was taken up for hearing, learned Additional Public Prosecutor [Puducherry] submitted that on the complaint given by the petitioner, a case in Cr.No.110/2015 was registered and the same was closed as "mistake of fact" on 15.10.2015 before the Judicial Magistrate-II, Karaikal. Already the petitioner was served with a copy of the Closure Report,

however, another copy of the Closure Report is furnished to the learned counsel for the petitioner across the Bar.

4. Hence, this petition is closed with liberty to the petitioner to file protest application within one month from the date of receipt of a copy of this order before the Judicial Magistrate-II, Karaikal and on such application being filed, the same shall be decided in the light of the law laid down by the Hon'ble Supreme Court in Vinay Tyagi vs. Irshad Ali @ Deepak and others [(2013) 5 SCC 762].

gms

s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate No.II,
Karaikal.

2.The Superintendent of Police
O/o Superintendent of Police, Karaikal.

3.The Inspector of Police
Town P.S.,Karaikal.

4.The Public Prosecutor,
High Court, Madras.

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