



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

CrI.O.P. (MD).No.15651 of 2016

and

CrI.M.P. (MD).No.7460 of 2016

M.Ranjithan

.. Petitioner

Vs.

1.The State rep. by
The Home Secretary, Department of Home,
Secretariat, St.George Fort, Chennai-9.

2.The Superintendent of Police,
O/o.the Superintendent of Police,
Virudhunagar District.

3.The Deputy Superintendent of Police,
O/O. the Deputy Superintendent of Police,
CBCID, Narimedu, Madurai.

4.The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
(Crime No.72 of 2016)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to issue a direction directing the Respondent No.2 to withdraw the case in Crime No.72 of 2016 under Section 174 Cr.P.C. and altered into Sections 323, 427, 506(ii) and 302 IPC read with 3(1)(R)(S), 3(2)(V) of SC/ST (POA) Amendment Act, 2015 on the file of the 4th respondent dated 11/07/2016 and entrust the same to respondent No.3 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.S.Rajasekar

For respondents : Mr.K.Anbarasan

Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the 2nd respondent to transfer the investigation to some other competent investigation officer with respect to Crime No.72 of 2016, on the file of the 4th respondent and to file final report within a time frame.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3. The learned Government Advocate (Crl. Side) would submit that originally a case was registered in Crime No.72 of 2016 for the offences punishable under Section 174 Cr.P.C. and thereafter it was altered into Sections 323, 427, 506(ii) and 302 IPC read with 3(1)(R)(S), 3(2)(V) of SC/ST (POA) Amendment Act, 2015, against the petitioner and after conducting proper investigation, the fourth respondent has closed the case as mistake of fact.

4. Recording the above submission, this Criminal Original Petition is disposed of with a direction to the fourth respondent to furnish a copy of the closure report to the counsel for the petitioner, within a period of two weeks from the date of receipt of a copy of this order, if not furnished already to the petitioner. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Home Secretary,Department of Home,
Secretariat, St.George Fort,Chennai-9.

2.The Superintendent of Police,
O/o.the Superintendent of Police,Virudhunagar District.

3.The Deputy Superintendent of Police,
O/O. the Deputy Superintendent of Police,
CBCID, Narimedu, Madurai.

4.The Inspector of Police,
A.Mukkulam Police Station,Virudhunagar District.

5.The Additional Public Prosecutor
Madurai Bench of Madras High Court,Madurai.

+1cc to M/S.T.Lajapathi Roy, Advocate in SR.No.55536

Crl.O.P(MD)No.15651 of 2016
23.09.2016

PJL