



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2016

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.(MD) No.2101 of 2016

K.Malliga ... Petitioner/Defacto Complainant

vs.

1.The District General of Police,
Tamil Nadu DGP Office,
Dr.Radhakrishnan Salai
Chennai.

2.The Superintendent of Police,
Sivagangai District
Sivagangai.

... Respondents 1&2/Respondent 1&2

3.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District

.. 3rd Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C., to transfer the investigation in Crime No.63/2015 on the file of the 3rd respondent to CBI or any other impartial investigating agency to conduct fresh/de-nova investigation is necessary and previous materials collected by previous investigating officer cannot be acted upon and direct them to file a final report within a stipulated period.

For Petitioner : Ms.M.Krishnaveni

For R1 & R2 : Mr.K.V.Rajarajan
Government Advocate (Crl. Side)

O R D E R

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking transfer the investigation in Crime No.63/2015 on the file of the 3rd respondent to CBI or any other impartial investigating agency to conduct fresh/de-nova investigation.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents 1 to 3.

3. When the case was called up, the learned Government Advocate represented that the investigation in Nerkuppai Police Station Crime No.63/2015 has been completed and closure report was filed on 11.12.2015 before the Judicial Magistrate, Thiruppathur, Sivagangai District. Under such circumstances, the respondent police is directed to give a copy of the closure report within one week from the date of receipt of a copy of this order to the de-facto complainant and liberty is given to the de-facto complainant to file protest application as laid down by the Hon'ble Supreme Court in *Vinay Tyagi Vs. State of U.P and Others* reported in *Laws (All)-2010-8-369*.

With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

RR

To

1.The District General of Police,
Tamil Nadu DGP Office,
Dr.Radhakrishnan Salai, Chennai.

2.The Superintendent of Police,
Sivagangai District, Sivagangai.

3.The Inspector of Police,
Nerkuppai Police Station, Sivagangai District

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

+1CC to Mrs.Krishnaveni Advocate Sr.No.7732

GJM/SKS/RR/25.2.16-2p-6C

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