



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH**Crl.O.P.(MD) No.1156 of 2017**

Sivagami

... Petitioner

-vs-

- 1.The Director General of Police,
Tamil Nadu, Mylapore,
Chennai-600 004.
- 2.The Inspector General of Police,
South Zone, New Natham Road,
Madurai.
- 3.The Commissioner of Police,
Madurai City, Madurai.
- 4.The Inspector of Police,
Jaihindpuram Police Station,
Madurai City.
(Crime No.956 of 2016)
- 5.The Deputy Superintendent of Police,
CBCID, Madurai.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent Nos.1 to 3 to withdraw the case in Crime No.956 of 2016 from the file of 4th respondent and transfer the same to the file of the 5th respondent with direction to complete the investigation within the period that may be stipulated by this Honourable Court.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

ORDER

This petition has been filed to direct the respondent Nos.1 to 3 to withdraw the case in Crime No.956 of 2016 from the file of 4th respondent and transfer the same to the file of the 5th respondent with direction to complete the investigation



2. On the complaint given by the petitioner in connection with the death of her daughter, namely, Priyanka, the respondent police registered a case in Crime No.956 of 2016 on 04.08.2016 under Section 174(3) Cr.P.C. During the course of investigation, the petitioner has filed the present petition for transfer of investigation from the file of 4th respondent to CBCID.

3. When the matter was taken up for hearing, learned Government Advocate (Crl.Side) appearing for the State submitted that the investigation in Crime No.956 of 2016 was completed and the case has been closed as "Action Dropped". The respondent police have submitted the closure report to the Executive Magistrate-cum-Revenue Divisional Officer, Madurai on 31.10.2016 and a copy of the closure report has been furnished to the learned counsel for the petitioner across the bar.

4. In the light of the above, this petition is closed with a direction to the Executive Magistrate-cum-RDO, Madurai to take photocopies of all the records in connection with the case in Crime No.956 of 2016 and after retaining photocopies, forward the original records to the learned Judicial Magistrate No.IV, Madurai and liberty is granted to the petitioner to file a protest application before the learned Judicial Magistrate No.IV, Madurai, if so advised, within a reasonable time.

Sd/-

Assistant Registrar(Co)

/True copy/

Sub Assistant Registrar

To:

- 1.The Judicial Magistrate No.IV,
Madurai.
- 2.-do-thro' The Chief Judicial Magistrate,
Madurai.
3. The Director General of Police,
Tamil Nadu, Mylapore,
Chennai-600 004.
4. The Inspector General of Police,
South Zone, New Natham Road,
Madurai.
5. The Commissioner of Police,
Madurai City, Madurai.



6. The Inspector of Police,
Jaihindpuram Police Station,
Madurai City.
(Crime No.956 of 2016)

WEB COPY

7. The Deputy Superintendent of Police,
CBCID, Madurai.

8. The Executive Magistrate-cum-Revenue Divisional Officer,
Madurai.

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

+1 cc to Mr.R.Gandhi , Advocate in SR.No. 13323

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AE/SKN/SAR4/04.04.2017/3P/11C

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08.03.2017