

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 22.09.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****CRL.OP. (MD)No.12576 of 2017**

G.Mohannan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Kanyakumari District,
At Nagercoil.

2. The Inspector of Police,
Pudukkadai Police Station,
Kanyakumari District.
(Crime No.33 of 2016)

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent to withdraw the investigation of the case in Crime No.33 of 2016 on the file of the second respondent and to transfer the same to any other investigating agency competent to deal with the matter.

For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.C.Ramesh,
Additional Public Prosecutor.

O R D E R

This Criminal Original petition is filed for issuing a direction to the first respondent to withdraw the investigation of the case in Crime No.33 of 2016 on the file of the second respondent and to transfer the same to any other investigating agency competent to deal with the matter.

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

3. The learned Additional Public Prosecutor on instructions submitted that the investigation was completed and final report was also filed before the learned Judicial Magistrate No.I,



Kuzhithurai, on 26.05.2017. Though the final report is yet to be taken on file, the statement of the respondents is that the investigation is completed about one year back.

4. In view of the same, the Criminal Original petition is dismissed as infructuous. Since it is stated that final report was filed earlier on 26.05.2017, the second respondent is directed to see that the final report is taken on file as early as possible, preferably, within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District,
At Nagercoil.
2. The Inspector of Police,
Pudukkadai Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.C.K.M.Appaji, Advocate Sr.No.80592

PMU

VB/SKN/RSK/SAR4/10/10/2017/2P/5C

CRL.OP. (MD) No.12576 of 2017

22.09.2017