



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13235 of 2017

S.NOORNISHA

... PETITIONER

Vs

1 THE SUPERINTENDENT OF POLICE
DINDIGUL TALUK POLICE STATION, DINDIGUL

2 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION, DINDIGUL
CRIME NO.213 OF 2016

... RESPONDENTS

Prayer in CRL OP(MD). 13235/ 2017 :

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to direct the 1st respondent to withdraw the investigation in Crime NO.213 of 2016 from the 2nd respondent and entrust to any other competent investigation officer

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.C.M. ARUMUGAM, Advocate for the petitioner and Mr.K.Anbarasan, Government Advocate (Crl.side) for the respondents, the court made the following order:-

This petition has been filed seeking to direct the 1st respondent to withdraw the investigation in Crime No.213 of 2016 from the 2nd respondent and entrust to any other competent investigation officer.

2.The petitioner has filed additional typedset by obtaining document from the respondent/police by way of RTI Act, in which, it is stated that originally there are two accused in this case and on 08.04.2016, the Sub Inspector of Police, Taluk Police Station, Dindigul, has filed a memo before the learned Judicial Magistrate No.I, Dindigul, for changing the provisions of the offences and also for deleting A2. Apart from this, a final report was filed by modifying the offence only under Section 294(b) IPC and on 08.04.2016, final report was filed before the learned Judicial Magistrate No.I, Dindigul.



3. But the learned counsel for the petitioner submits that as on date, there is no charge sheet filed before the learned Judicial Magistrate No.I, Dindigul.

4. Therefore, the respondent/police is directed to produce the copies in respect of filing before the Magistrate with appropriate date of filing of the charge sheet before the learned Magistrate with the documents issued by the learned Magistrate within a period of two weeks.

5. Post the matter on 13.10.2017. If no final report is filed on date before the Magistrate, the investigation of the case shall be transferred to CBCID.

sd/-
28/09/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, DINDIGUL
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 3 THE SUPERINTENDENT OF POLICE
DINDIGUL TALUK POLICE STATION, DINDIGUL
- 4 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION, DINDIGUL
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 6 THE SUB INSPECTOR OF POLICE
TALUK POLICE STATION, DINDIGUL

+1. CC to M/S.C.M. ARUMUGAM Advocate SR.No.81421

ORDER
IN
CRL OP(MD) No.13235 of 2017
Date :28/09/2017

SM:RR:SAR I:5.10.2017:2P/8C