

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.07.2017****CORAM:****THE HONOURABLE MR. JUSTICE S.S.SUNDAR****Crl.O.P. (MD) .No.9793 of 2017****WEB COPY**

P.Krishnaveni

.. Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli.2. The Deputy Superintendent of Police,
Tirunelveli.3. The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 1st respondent to transfer the investigation in Crime No.147/2016, on the file of the 3rd respondent police to any other police after making proper investigation on the basis of the petition, dated 29.01.2017.

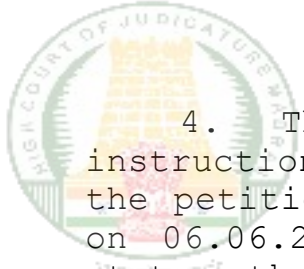
For Petitioner : Mr.H.Arumugam

For Respondents : Mr.K.Anbarasan
Government Advocate
(Criminal side)**ORDER**

The petitioner seeks a direction to direct the 1st respondent to transfer the investigation in Crime No.147/2016, on the file of the 3rd respondent police to any other police after making proper investigation on the basis of the petition, dated 29.01.2017.

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

3. The petitioner states that he is having business in the name of style of "Krishnaveni Engineering Construction" and she had completed certain works under contract given by one Icon Controls Private Limited Company. When she approached them for the settlement of the due from the said company, the staffs of the company scolded her with abusive language and threatened her with dire consequences. In the circumstances, she states that she had given a complaint. Since, there is no progress in the investigation, she has approached this Court.



4. The learned Government Advocate (Crl. Side), on instructions, would submit that the complaint, which was filed by the petitioner, was enquired into and closed as 'mistake of fact' on 06.06.2017. However, the learned counsel for the petitioner states that he has no instructions from his client about the notice of the closure report. However, a copy of the closure report is served on the learned counsel for the petitioner today.

5. From the reading of the complaint, it is clear that the petitioner has done some contract work for a company and some amount is due to her and for settlement of the said amount, she approached the company. Thereafter, four unknown persons entered into her home and scolded her with abusive language, threatened with dire consequences and assaulted her. Therefore she has given a complaint. Since the complaint is closed as 'mistake of fact', it is open to the petitioner to file a protest petition and give a private complaint. For recovery of any money, she should approach the Civil Court.

6. With the above observation, this Criminal Original Petition is **closed**.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli.

2. The Deputy Superintendent of Police,
Tirunelveli.

3. The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

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

+1cc to Mr.H.Arumugam, Advocate SR.No.68747

DAS/PJL

VB/GT/SAR2/09/08/2017/2P/6C

Crl.O.P(MD)No.9793 of 2017
27.07.2017