

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.22545 of 2018

K.Mohamed Shajahon

.. Petitioner

Vs

1.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Valangaiman Police Station,
Valangaiman,
Thiruvarur District,
Thiruvarur.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
praying for a direction to transfer the investigation in
CSR.No.116 of 2018 dated 14.06.2018 from the 2nd respondent to
the 1st respondent police and direct them to investigate the same
as in accordance with law.

For Petitioner : Mr.S.Q.Yusuf
for M/s.Nathan and Associates

For Respondents : Mrs.M.Prabhavathi, APP

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O R D E R

This petition has been filed to transfer the investigation
in CSR.No.116 of 2018 dated 14.06.2018 from the file of the 2nd
respondent to the 1st respondent and direct them to investigate
the same in accordance with law and file Final Report.

2.The learned Additional Public Prosecutor has submitted
that after receipt of the complaint from the petitioner,
CSR.No.116 of 2018 was issued on 14.06.2018 and thereafter,

preliminary enquiry was conducted and a case was registered on 01.08.2018 in Crime No.224 of 2018 under Sections 147, 148, 341, 294(b), 324 and 506(2) IPC by the 2nd respondent. She further submitted that after registering the case, investigation was done and the case was referred as mistake of fact on 01.08.2018 itself and to that effect, a report was filed before the concerned Judicial Magistrate.

3.The learned counsel for the petitioner has submitted that the petitioner has not been served with notice, with regard to the filing of Referred Charge Sheet.

4.Considering the aforesaid submissions, this petition is dismissed as infructuous. The 2nd respondent is directed to send intimation to the petitioner herein by RPAD, with regard to the filing of the Referred Charge Sheet within a week from the date of receipt of a copy of this order. It is open to the petitioner to avail another remedy which is available under the law.

With the aforesaid direction, this petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District, Thanjavur.

2.The Inspector of Police,
Valangaiman Police Station,
Valangaiman,
Thiruvarur District, Thiruvarur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Nathan and Associates, Advocate sr.no.65913

nr 29/10/2018

CRL.O.P.No.22545 of 2018