



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.904 of 2018

C.Idhayathullah

... Petitioner

-vs-

1. The Director General of Police,
O/o. the Director General of Police,
Dr.Radhakrishnan Road, Maylapoore,
Chennai-600 004.
2. The Additional Director General of Police
CBCID
O/o. the Additional Director General of Police
(CBCID),
No.220, Panthiyan Road,
Egmore, Chennai-600 008.
3. The Superintendant of Police,
CBCID
O/o. the Superintendent of Police (CBCID),
No.220, Panthiyan Road, Egmore, Chennai-600 008.
4. The Superintendent of Police,
O/o. the Superintendent of Police,
Surveyor Colony, Madurai.
5. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(In Crime No.427 of 2017)

... Respondents

Prayer: Criminal Original petitions are filed under Section 482 of Criminal Procedure Code, to direct the fourth respondent to withdraw the investigation of Crime No.427 of 2017, on the file of the fifth respondent and transfer the same to the third respondent.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)



petitioner, to direct the fourth respondent to withdraw the investigation in Crime No.427 of 2017, from the file of the fifth respondent and the same was transferred to the third respondent for further investigation.

2.The learned counsel appearing for the petitioner has submitted that even though the First Information Report has been registered on 18.09.2017, so far investigation has not been started by the fifth respondent and hence he request the Court to direct the fourth respondent to withdraw the investigation and transferred to the third respondent.

3.The learned Government Advocate (Crl.Side) has submitted that after registering the case, the matter was taken up for investigation by the fifth respondent and after investigation the matter was referred as a mistake of fact and a report also has been filed to that effect, before the Jurisdictional Magistrate, after serving RCS notice to the petitioner in person.

4.Recording the aforesaid submissions, this Criminal Original Petition is disposed of. It is open to the petitioner, to file a private complaint, if he feels that he is aggrieved by the report filed by the fifth respondent.

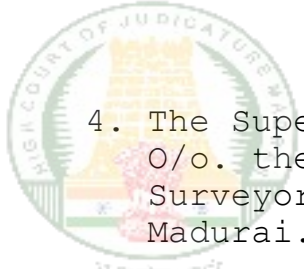
Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Director General of Police,
O/o. the Director General of Police,
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Maylapoore, Chennai-600 004.
2. The Additional Director General of Police
CBCID
O/o. the Additional Director General of Police
(CBCID),
No.220, Panthiyan Road,
Egmore,
Chennai-600 008.
3. The Superintendent of Police,
CBCID
O/o. the Superintendent of Police (CBCID),
No.220, Panthiyan Road, Egmore,
Chennai-600 008.



4. The Superintendent of Police,
O/o. the Superintendent of Police,
Surveyor Colony,
Madurai.

5. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

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

SSS

TE/KK/SAR-2 : 12/02/2018 : 3P/7C

CRL.O.P. (MD) No.904 of 2018
22.01.2018