



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P. (MD) .No.21623 of 2015

WEB COPY

M.J.Nazeer

..Petitioner

Vs.

1.The Director General of Police,
Police Head Quarters,
Beach Road,
Chennai

2.The Superintendent of Police,
O/o., Superintendent of Police,
Kanyakumari District,
Nagercoil.

3.The Deputy Superintendent of Police,
CBCID Branch,
O/o., Superintendent of Police,
Kanyakumari District,
Nagercoil.

4.The Inspector of Police,
Aralvai Mozhi Police Station,
Arlvai Mozhi,
Kanyakumari District.

..Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the second respondent to transfer the investigation in Crime No.714 of 2012 on the file of the fourth respondent on the basis of the petitioner's representation dated 18.07.2013 and to entrust the case to the third respondent with direction to investigate the same to invoke the correct penal provision under Section 326, 302 r/w 120b IPC with incorporate the proposed accused persons and to file a final report before the Jurisdictional Magistrate within a time stipulated by this Court.

For Petitioner : Mr.S.A.S.Alaudeen

For Respondents : Mrs.M.Anantha Devi

Government Advocate (Cr1.side)

O R D E R

This petition is filed to transfer the investigation in Crime No.714 of 2012 on the file of the fourth respondent on the basis of the petitioner's representation dated 18.07.2013 and to entrust the case to the third respondent with direction to investigate the same



to invoke the correct penal provision under Section 326, 302 r/w 120b IPC with incorporate the proposed accused persons and to file a final report before the Jurisdictional Magistrate within a stipulated time by this Court.

2.The learned Government Advocate (Crl.side) would submit that already the case in Crime No.714 of 2012 on the file of the fourth respondent has been closed as 'Action Dropped' on 17.12.2015. Hence, nothing survives for further adjudication in this petition.

3.Recording the aforesaid submission, this Criminal original petition is dismissed. However, the fourth respondent is directed to issue RCS notice to the petitioner. After receiving the RCS notice, the petitioner is at liberty to file a protest petition before the appropriate Court, within a period of two weeks, thereafter.

Sd/

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Director General of Police,
Police Head Quarters,
Beach Road,
Chennai

2.The Superintendent of Police,
O/o., Superintendent of Police,
Kanyakumari District,
Nagercoil.

3.The Deputy Superintendent of Police,
CBCID Branch,
O/o., Superintendent of Police,
Kanyakumari District,
Nagercoil.

4.The Inspector of Police,
Aralvai Mozhi Police Station,
Arlvai Mozhi,
Kanyakumari District.

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

Crl.O.P. (MD) .No.21623 of 2015

RMK

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RR/PM/SAR-3/30.11.2018/2P-6C