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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.363 of 2014
and
M.P.(MD)No.1 of 2014

A.Arul Raja Rock Roy ... Petitioner

Vs.

1. The Superintendent of Police,
   Kanyakumari District.

2. The Sub Inspector of Police,
   Vadasery Police Station,
   Kanyakumari.

3.K.Rajan
4.Janakiraman
5.Kabin Jai
6. The Driver of Vehicle
   Bearing Registration No.TN 74 M 3116-JCB
   Belonging to the third respondent. ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent herein to transfer the investigation in Crime No.1016 of 2013 pending on the file of Sub Inspector of Police, Vadasery Police Station, Kanyakumari to any other competent authority.

For Petitioner : No Appearance
For R1 and R2 : Mr.V.Neelakandan,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.1016 of 2013 pending on the file of the Sub Inspector of Police, Vadasery Police Station, Kanyakumari to any other competent authority.

2.Today, when the matter is taken up for hearing, no one has appeared on behalf of the petitioner.

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3.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the complaint of the

petitioner under Section 156(3) Cr.P.C., has been registered on the direction given by the learned Judicial Magistrate No.II, Nagercoil. Thereafter, the second respondent has conducted enquiry and found no offence made out against the accused persons, namely, respondents 3 to 6 herein and referred the complaint as 'mistake of fact' on 30.12.2013. The submission of the learned Additional Public Prosecutor has been recorded.

4.Therefore, the relief sought for by the petitioner cannot be granted. Hence, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(w)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Superintendent of Police,
   Kanyakumari District.

2. The Sub Inspector of Police,
   Vadasery Police Station,
   Kanyakumari.

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

MYR

VB/RSK/SAR1/14.09.2018/2P/4C

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