



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.15101 of 2018

Arunachalavadvu

: Petitioner

Vs.

1.The Superintendent of Police,
Karur District, Karur.

2.The Inspector of Police,
Anti Land Grabbing Wing,
District Crime Branch,
Tirunelveli District.

3.The Inspector of Police,
CBCID, Madurai Unit,
Madurai.

: Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to withdraw and transfer the investigation in Crime No.9 of 2018 on the file of the second respondent to third respondent.

For Petitioner : Mr.S.Gokulraj

For Respondents : Ms.S.Bharathi

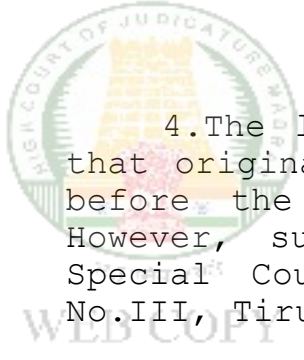
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed for seeking transfer of investigation in Crime No.9 of 2018, on the file of the second respondent.

2.The learned counsel for the petitioner would submit that the second respondent has not conducted proper investigation and the second respondent has filed a closure report as action dropped. When the petitioner wanted to file a protest petition before the Special Court for Land Grabbing Cases, Tirunelveli, the same was returned by the said court, on the ground that the second respondent has not filed the final report.

3.Being aggrieved by the same, the petitioner has now sought for transfer of investigation.



4.The learned Government Advocate (Criminal Side) would submit that originally the final report was filed by the respondent police before the Special Court for Land Grabbing Cases, Tirunelveli. However, subsequently the final report was taken from the said Special Court and filed before the learned Judicial Magistrate No.III, Tirunelveli, which is the jurisdictional court.

5.In the facts and circumstances of the case, there shall be a direction to the petitioner to file a protest petition before the learned Judicial Magistrate No.III, Tirunelveli within a period of ten days from the date of receipt of a copy of this order. The learned Judicial Magistrate No.III, Tirunelveli is directed to consider the protest petition and dispose of the same, in accordance with law as expeditiously as possible.

6.In view of the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(T AND P)

/True Copy/

Sub Assistant Registrar(CS IV)

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To

1.The Superintendent of Police,
Karur District, Karur.

2.The Inspector of Police, Anti Land Grabbing Wing,
District Crime Branch, Tirunelveli District.

3.The Inspector of Police,
CBCID, Madurai Unit, Madurai.

4.The Judicial Magistrate No.III,Tirunelveli.

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

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