



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE **R. PONGIAPPAN**

CRL.O.P (MD) No.11749 of 2013

WEB COPY

M.Mari Selvam

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.

3. The Deputy Superintendent of Police,
CBCID,
Madurai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to withdraw the complaint pending before the second respondent in Cr.No.194 of 2013 and to transfer it to the third respondent for further and speedy investigation.

For Petitioner : No appearance

For Respondents : Mr.A.Robinson
Government Advocate (Criminal Side)

O R D E R

The petitioner herein is the defacto complainant in Cr.No.194 of 2013, pending on the file of the second respondent. When the proceedings pending before this court, on 09.02.2018 the learned counsel for the petitioner Mr.R.M.Makesh Kumaravel appeared before this Court and made a submission as he is not willing to appear on behalf of the petitioner. After recording the submission made by the learned counsel this Court ordered to issue notice to the petitioner directly and adjourned this Criminal Original Petition for hearing on 14.02.2018. On 14.02.2018 after receiving the notice sent by this Court the petitioner appeared in person before this Court and requested time for engaging a new counsel. On considering the submission made by the petitioner, this case has been adjourned today (01.03.2018) for further proceedings.

<https://hcservices.courtsofmadras.gov.in/hcservices/1>
2. It is ordered, when the matter is taken up for hearing, nobody represented the case of petitioner.



3. On the other hand, the learned Government Advocate (Criminal Side) made a submission that as on 10.12.2014 itself First Information Report in Cr.No.194/2013 pertaining to this petition was closed as "Mistake of Fact" and also he submitted a copy of the final report filed before the learned Judicial Magistrate No.VI, Madurai. Eventhough the petitioner sought for relief of transferring the investigation. As of now, considering the fact that entire investigation is completed in the year 2014 itself, hence, the prayer sought by the petitioner becomes infructuous.

4. The Submission made by the learned Government Advocate (Criminal Side) is recorded. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Madurai District.
2. The Inspector of Police,
Chekkanoorani Police Station, Madurai District.
3. The Deputy Superintendent of Police, CBCID, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

LS

VB/JC/SAR1/03.04.2018/2P/5C

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