

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.12111 of 2016

P.Seeralan

...Petitioner

Vs.

1. The Superintendent of Police,
Kanchipuram District,
at Kanchipuram
2. The Deputy Superintendent of Police,
Chengalpet, Kanchipuram District.
3. The Inspector of Police,
Padalam Police Station,
Kanchipuram District.
4. The Inspector of Police,
CBCID, Kanchipuram District.

...Respondents

PRAYER :

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the respondents police 1 and 2 to transfer the investigation in Crime No.179 of 2016 dated 01.05.2016 pending on the file of the 3rd respondent police to the 4th respondent for conducting reinvestigation in the above case and further direction to file a final report within a time frame.

For Petitioner : Mr.R.Jayabalan

For Respondents : Mr.C.Raghavan
Government Advocate

ORDER

The learned Government Advocate on instructions submitted that the investigation has been completed and a closure report has been filed as "further action dropped" on 15.12.2016 before the Tahsildar, Maduranthagam.

2. The procedure adopted by the respondent police is opposed to law and the closure report ought to have been filed only before the jurisdictional Magistrate.

3. There shall be a direction to the 3rd respondent to immediately take back the closure report from the Tahsildar, Maduranthagam and file before the Judicial Magistrate No.I, Chengalpet within a period of three weeks from the date of receipt of copy of this order. Before filing the closure report, notice shall be served to the de-facto complainant in order to enable the de-facto complainant to proceed further in accordance with law.

4. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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To

1. The Judicial Magistrate No.I,
Chengalpet.
2. The Superintendent of Police,
Kanchipuram District,
at Kanchipuram
3. The Deputy Superintendent of Police,
Chengalpet, Kanchipuram District.
4. The Inspector of Police,
Padalam Police Station,
Kanchipuram District.
5. The Inspector of Police,
CBCID, Kanchipuram District.
6. The Public Prosecutor,
High Court of Madras.

CRL.O.P No.12111 of 2016

VP(CO)
CS/30/07/2019