

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.9594 of 2016

Arumugam

...Petitioner/
complainant

Vs.

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

2. The State by Inspector of Police,
Thirukovilur Police Station,
Villupuram District

...Respondents/
Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.64 of 2016 pending on the file of the 2nd respondent to any other investigation agency.

For Petitioner : Mr.Guruprasad

For Respondents : Mr.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed seeking to transfer the investigation in Crime No.64 of 2016 pending on the file of the 2nd respondent.

2. Based on the complaint given by the petitioner, the 2nd respondent has registered an FIR in Crime No.64 of 2016 under Section 174 of Cr.PC. Since no action has been taken, the present petition has been filed before this Court.

3. The learned Additional Public prosecutor on instructions submitted that the investigation has been completed and a closure report was filed as "further action dropped" before the RDO, Thirukoilur.

4. The learned counsel for the petitioner submitted that the petitioner is not aware about the filing of the closure report by the

respondent police. The learned counsel further submitted that the procedure followed by the respondent police is totally in contravention with the guidelines given by this Court in [Manohari Vs. The Deputy Superintendent of Police, Sivagangai and another] 2018 2 LW CrL. 522.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 2nd respondent to get the closure report from the R.D.O., Thirukovillur and file the same before the Judicial Magistrate, Thirukovilur. This process shall be completed within a period of two weeks from the date of receipt of copy of this order. The closure report on being filed before the Judicial Magistrate, Thirukovilur, the petitioner shall be given a notice and the petitioner is entitled to thereafter, work out his remedy by filing a protest petition before the concerned Court.

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

26.06.2019

Index: Yes
Internet: Yes
rka/msrm

To

1. Inspector General of Police,
Police Head Quarters,
Pondicherry - 605 001.
2. The Superintendent of Police,
CID, Pondicherry.
3. The Inspector of Police,
CID, Pondicherry
4. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH.J.,

rka



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