

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.04.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.8432 of 2019

Karthik @ Karthikeyan

...Petitioner

Vs.

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

2.The Inspector of Police,
Tirukoilur Police Station,
Villupuram District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 1st respondent to transfer the investigation in Crime No.899 of 2018 pending on the file of the 2nd respondent police to any other Police Officer or some other agency.

For Petitioner : H.Rajesh

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed seeking to direct the 1st respondent to transfer the investigation in Crime No.899 of 2018 pending on the file of the 2nd respondent police to any other investigating agency.

2.The learned Additional Public Prosecutor submitted that it is a case in counter to Crime No.898 of 2018. In the case in Crime No.898 of 2018, the respondent police have completed the investigation and filed a final report and the same is pending for committal in P.R.C.No.4 of 2019 before the concerned Judicial Magistrate. In respect of the case in Crime No.899 of 2018, the respondent police have completed the investigation and closed the complaint as 'mistake of fact' on 13.09.2018 itself. Therefore, the prayer sought for by the petitioner has become infructuous.

3.In view of the above submission, nothing survives in this petition. Accordingly, this Criminal Original Petition stands dismissed as infructuous.

4.However, the 2nd respondent Police is directed to serve a referred charge sheet to the petitioner within a period of two weeks. On receipt of the same, the petitioner is at liberty to file a protest petition before the concerned Judicial Magistrate, if so advised.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To:

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

2.The Inspector of Police,
Tirukoilur Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.H.Rajesh, Advocate, S.R.No.46787

Crl.O.P.No.8432 of 2019

MP(CO)

RRS(27/06/2019)

सत्यमेव जयते

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