

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cr1.O.P.No.20939 of 2019

Ponnuswamy

...Petitioner

Vs

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

2. The Inspector of Police,
Thingaloor Police Station,
Erode District.

Crime No.26 of 2015

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the 1st respondent herein to withdraw the case in Crime No.26 of 2015 on the file of the 2nd respondent and transfer the same to any Inspector of Police under him and investigate the matter in accordance with law.

For Petitioner : Mr.Muruganantham.T

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

Today when the matter was called, the learned Additional Public Prosecutor has filed Status Report stating that pursuant to the death of Rasappa Gounder, elaborated investigation was conducted and based on the witness statement and material evidence, the then Investigation Officer had closed the case in Crime No.26 of 2015 on 18.03.2015 as "Further Action Dropped" and filed the Final Report before the learned Executive Magistrate-Cum-Tahsildar, Perundurai, on the same day. The son of the deceased has now filed the present application seeking for a direction to transfer the investigation in Crime No.26 of 2015.

2 In view of the fact that the investigation has been completed and further action has been dropped, way back in the

year 2015 itself, the present prayer cannot be maintained. If at all the petitioner is aggrieved, it is always open to him to challenge the Closure Report in the manner known to law.

3 With the above observation, this Crl.O.P., stands closed.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Erode District,
Erode.
2. The Inspector of Police,
Thingaloor Police Station,
Erode District.
3. The Executive Magistrate Cum Tahsildar
Perundurai
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.T. Muruganantham, Advocate sr 88338.

सत्यमेव जयते

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SPD(CO)
SP(02/12/2019)