



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.12217 of 2017

Jamuna

...Petitioner/Complainant

Vs.

1. The State, rep. by
Inspector of Police,
Anchetty Police Station,
Krishnagiri District.

2.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

3.The Inspector of Police,
Office of the CBCID,
Dharmapuri,
Dharmapuri District.

...Respondents/Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to transfer the investigation of the case in Crime No.7 of 2017, on the file of the 1st respondent from the 1st respondent to the 3rd respondent .

For Petitioner : M/s.C.Ananda Ramani

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

ORDER

This Criminal Original Petition has been filed seeking to transfer the investigation of the case in Crime No.7 of 2017, on the file of the 1st respondent from the 1st respondent to the 3rd respondent .

2. The learned Additional Public Prosecutor on instructions submitted that the FIR was registered under 174 of Cr.P.C and a closure report was filed as 'further action dropped', before the Tahsildar, Thenkanikottai.



3. The procedure followed by the respondent police is illegal and is not in accordance with the guidelines given by this Court in the case of Manohari Vs. District Superintendent of Police, Sivagangai District and two others, reported in 2018 (2) Law Weekly (crl) 522.

4. In view of the above, the respondent police is directed to take the final report filed before the Tahsildar, Thenkanikottai, and file the same before the Judicial Magistrate, Thenkanikottai, after giving notice to the defacto complainant. It is left open to the defacto complainant to proceed further in accordance with law.

5. This Criminal Original Petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate,
Thenkanikottai.

2.-Do- Thro' The Chief Judicial Magistrate,
Dharmapuri.

3. The State, rep. by
Inspector of Police,
Anchetty Police Station,
Krishnagiri District.

4.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

5.The Inspector of Police,
Office of the CBCID,
Dharmapuri,
Dharmapuri District.



6.The Public Prosecutor,
High Court, Madras.

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srg 08/08/2019