



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 26.06.2019

CORAM  
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.24161 of 2017  
in  
Crl.MP.No.13979 of 2017

P.Appasamy

...Petitioner

Vs.

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

2. The State ,  
Rep by its, The Inspector of Police,  
Kamanaickenpalayam Police Station,  
Thiruppur District.  
(Crime No.254 of 2017)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.254 of 2017 pending on the file of the 2nd respondent to any other officers under the control of 1st respondent.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.Mohammed Riyaz,  
Additional Public Prosecutor

ORDER

This petition has been filed seeking to transfer the investigation in Crime No.254 of 2017 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.254 of 2017 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 Tahsildhar, Palladam.

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 CrI. 522.

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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 Tahsildhar, Palladam and file the same before the Judicial Magistrate, Palladam. This process shall be completed within a period of two weeks from the date of receipt of copy of this order. At the time of filing of closure report before the Judicial Magistrate, Palladam, 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. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

rka

To

1. The Superintendent of Police,  
Thiruppur, Thiruppur District.
2. The Inspector of Police,  
Kamanaickenpalayam Police Station,  
Thiruppur District
3. The Public Prosecutor,  
High Court of Madras.
4. The Judicial Magistrate,  
Palladam.

+1cc to Mr.K.Myilsamy, Advocate, S.R.No.53407

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NMI (CO)

RRS (02/08/2019)