



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.26 of 2019

WEB COPY

P.Murugan

... Petitioner

Vs.

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

2.The Inspector of Police
Nanguneri Police Station,
Tirunelveli District.
Crime No. 147/2012.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation of the case in Crime No.147 of 2012 pending on the file of the second respondent police to any other independent agency or officer to pursue the investigation.

For Petitioner : Mr.G.Karuppasamy Pandiyan
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This petition has been filed to direct the first respondent to transfer the investigation of the case in Crime No.147 of 2012 pending on the file of the second respondent police.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl.side) on instructions would submit that on the complaint lodged by the petitioner, a case has been registered in Crime No.147 of 2012, investigation has already been completed and the complaint has been closed as 'Mistake of Fact', thereafter, the second respondent also filed referred charge sheet before the concerned Magistrate. Therefore, the prayer sought for by the petitioner has become infructuous.

3.The learned counsel for the petitioner would submit that the respondent police did not serve any R.C.S. notice to the petitioner.

4.In view of the above, this Criminal Original Petition is dismissed as infructuous. However, the second respondent is directed to serve R.C.S. notice to the petitioner. On receipt of



the same, the petitioner is at liberty to file a protest petition before the concerned Magistrate.

Sd/-

Assistant Registrar

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// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police
Nanguneri Police Station,
Tirunelveli District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.G.KARUPPASAMY PANDIYAN, Advocate (SR-92334[F] dated
17/10/2019)

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