



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No. 8154 of 2019

WEB COPY

P. Janaki Raman

... Petitioner

Vs

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

2. The Inspector of Police,
District Crime Branch,
Thanjavur.

3. The Inspector of Police,
West Police Station,
Thanjavur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to transfer the investigation from the 3rd respondent by following the order in Crl.M.P.No.2011 of 2019 dated 25.03.2019 on the file of the Judicial Magistrate No.I, Thanjavur to 2nd respondent to register the case and investigate the case.

For Petitioner : Mr.G. Karnan

For Respondents : Mr.K.Suyambulinga bharathi,
G.A. (Crl. Side)

O R D E R

This petition has been filed to transfer of investigation from the 3rd respondent to the second respondent and also consequential direction for registering the complaint as directed by the learned Judicial Magistrate No.I, Thanjavur.

2. The learned counsel appearing for the petitioner would submit that the petitioner has lodged a complaint before the third respondent the same was enquired and closed as mistake of fact. Thereafter, the petitioner has approached the learned Judicial Magistrate No.I, Thanjavur by way of filing private complaint and under Section 156(3) of Cr.P.C. to investigate the same in Crl.M.P. No.2011 of 2019. The learned Magistrate has directed the second respondent to conduct enquiry.

3. The learned Government Advocate (crl. Side) would submit that on receipt of the direction issued by the learned Magistrate,



the second respondent has conducted enquiry the same was also closed as 'Action Dropped' and the report was duly submitted before the learned Judicial Magistrate No.I, Thanjavur on 01.07.1999.

4. Heard both sides and perused the materials available on records.

5. The learned counsel further submitted that even till today, the second respondent has not submitted any report before the concerned learned Magistrate.

6. Considering the facts and circumstances of the case, the second respondent is directed to submit the report before the concerned Magistrate after serving a copy of the report to the petitioner. On receipt of the same, the petitioner is at liberty to file objection if any before the learned Magistrate and on receipt of the said objection, the learned Judicial Magistrate No.I, Thanjavur is directed to consider and pass order within a period of **Four (4) weeks**, from the date of receipt of copy of the order.

7. With the above directions, the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

ksa

To

1.The Judicial Magistrate No.I,
Thanjavur.

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

3. The Inspector of Police,
District Crime Branch,
Thanjavur.

4. The Inspector of Police,
West Police Station,
Thanjavur District.



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

+1 CC to M/s.G.KARANAN, Advocate (SR-87173[F] dated 17/09/2019)

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