



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP(MD).No. 9740 of 2019

Mydeen Pitchai

... Petitioner

Vs.

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

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the first petitioner to change the investigation in Crime No.765 of 2018, to any other investigating agency in the interest of justice within a stipulated time as fixed by this Court.

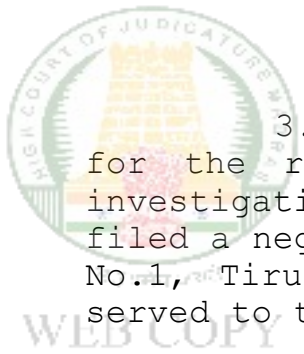
For Petitioner : Ms.Yasmin Begum

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to change the investigation in Crime No.765 of 2018, to any other investigating agency in the interest of justice within a stipulated time as fixed by this Court.

2. According to the petitioner, based on a complaint given by him, a crime has been registered for the offences under Sections 420 and 406 of the Indian Penal Code in Crime No.87 of 2018. The First Information Report was registered on 08.03.2018 and the second respondent Police without conducting the investigation in a proper manner, have filed a negative final report before the learned Magistrate No.1, Tirunelveli. Hence, the petitioner has filed the present petition seeking for transfer of investigation.



3. The learned Government Advocate (Crl. side) appearing for the respondents, on instructions, submitted that, now, the investigation is over and the second respondent Police has also filed a negative final report before the learned Judicial Magistrate No.1, Tirunelveli and referred charge sheet notice has also been served to the petitioner.

4. Considering the facts and circumstances of the case and also considering the fact that the negative final report has been filed before the Judicial Magistrate concerned, at this stage, the prayer sought for by the petitioner cannot be granted. If at all the petitioner has any grievance against the negative final report, it is always open to him to take appropriate remedy in the manner known to law.

5. Accordingly, the Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (Crl.side)

/ True Copy /

Sub Assistant Registrar(CS-)

To

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

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City

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

Copy To:

The Judicial Magistrate No.I,
Tirunelveli.

+1 CC to M/s.P.YASMIN BEGUM, Advocate(SR-74360[F] dated 10/07/2019)

CRL OP (MD) .No. 9740 of 2019

10.07.2019

tsg

ES/24.07.2019/2P/6C