



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.5049 of 2018

K.Perumal

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
CBCID, Dindigul District.

3.The Inspector of Police,
Vadamadurai District.
Dindigul District.
(Crime No.213 of 2017)

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the first respondent to withdraw the case in Crime No.213 of 2017 dated 04.07.2017 on the file of the third respondent and entrust the same to the second respondent for investigation of the case by a competent officer within the time period stipulated by this Court.

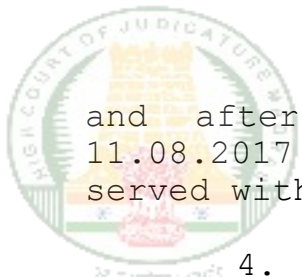
For Petitioner	:	Mr.T.Thirumurugan
For Respondents	:	Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)

O R D E R

This petition has been filed to transfer the case in Crime No.213 of 2017 dated 04.07.2017 on the file of the third respondent and entrust the same to the second respondent for investigation.

2. Heard Mr.T.Thirumurugan, learned counsel appearing for the petitioner and Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.Side) appearing for the respondents.

3.The learned counsel for the petitioner would submit that on the complaint lodged by the petitioner, second respondent registered a case in Crime No.240 of 2017 for offences under Section 174 Cr.P.C



and after conducting investigation they closed the case on 11.08.2017 as 'Action Dropped'. Even then the petitioner was not served with RCS notice till today.

4. Considering the above facts and circumstances transfer of investigation would not arise now. Hence the Criminal Original Petition stands dismissed. Further the second respondent is directed to serve RCS notice to the petitioner forthwith and on receipt of the same, the petitioner is at liberty to file protest petition before the concerned jurisdictional Magistrate.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Dss

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
CBCID, Dindigul District.
- 3.The Inspector of Police,
Vadamadurai District.
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.T.THIRUMURUGAN, Advocate Sr. No. 92583

Crl.O.P. (MD)No.5049 of 2018

17.10.2019

KG(CO)

TR(04.11.2019) 2P 6C