



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P. (MD) .No.1426 of 2018

WEB COPY

V.Gurusamy

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Puliyangudi, Tirunelveli District.

3.The Inspector of Police,
Vasudevanallur Police Station,
Tirunelveli District.

4.The Deputy Superintendent of Police,
CBCID, Tirunelveli Range,
Tirunelveli.

..Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the first respondent to transfer the investigation of the case registered in Crime No.217 of 2015, on the file of the third respondent to the fourth respondent for investigation in accordance with law.

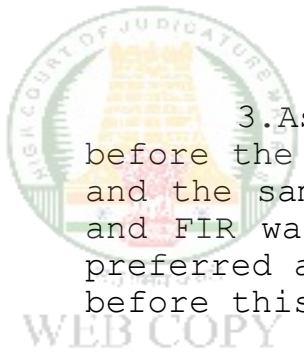
For Petitioner : Mr.K.Baalasundharam

For Respondents: Mr.R.Anandharaj,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to transfer the investigation in Crime No.217 of 2015, from the file of the third respondent to the file of fourth respondent for investigation.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that in respect of Crime No.217 of 2015, the respondent police already completed the investigation and closed the same as 'mistake of fact' and also served the RCS notice to the defacto complainant.



3.As against which, the petitioner filed a protest petition before the learned District Munsif cum Judicial Magistrate, sivagiri and the same was dismissed for default by an order dated 02.04.2018 and FIR was also closed. As against which, the defacto complainant preferred a revision in Crl.R.C.(MD)No.245 of 2019, which is pending before this Court.

4.In view of the fact that as of now, there is no case is pending on the file of the third respondent, this petition has become infructuous. Accordingly, this Criminal Original Petition is dismissed as infructuous.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Puliyangudi, Tirunelveli District.
- 3.The Inspector of Police,
Vasudevanallur Police Station,
Tirunelveli District.
- 4.The Deputy Superintendent of Police,
CBCID, Tirunelveli Range,
Tirunelveli.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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