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BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT
DATED: 01.10.2019
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P (MD) No.4593 of 2018

K.Kala Devi ... Petitioner

Vs

1.The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District.

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

3.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Keelakkarai,
Ramanahtapuram District.

4.The Inspector of Police,
Thirupulani Police Station,
Ramanathapuram District.
Crime No.131 of 2017 ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 1st respondent to withdraw the case in crime No.131 of 2017 dated 18.08.2016 on the file of the 4th respondent and entrust the same to respondent No.2 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,
G.A. (Crl. Side) for R1

O R D E R

This petition has been filed to direct the 1st respondent to withdraw the case in crime No.131 of 2017 dated 18.08.2016 on the file of the 4th respondent and entrust the same to respondent No.2 for investigation of the case by a competent officer within the time period stipulated by this Court.

2.The learned Government Advocate (criminal side) submitted that the 4th respondent has investigated the case in crime No.131 of 2017 and since no charge is made out as against the accused persons,

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they closed the same on 19.03.2018 as Mistake of Fact and they yet to serve the referred charge sheet notice to the petitioner and they yet to file the same before the concerned jurisdictional magistrate and hence, the prayer sought for by the petitioner has become infructuous.

3.Recording the same submission, this criminal original petition is dismissed as infructuous. However, the 4th respondent is directed to file the final report before the learned jurisdictional magistrate concerned and serve the referred charge sheet notice to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is at liberty to file protest petition before the concerned Court.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District.

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

3.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Keelakkarai,
Ramanahtapuram District.

4.The Inspector of Police,
Thirupulani Police Station,
Ramanathapuram District.

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

Order made in
CRL.O.P (MD) No.4593 of 2018
01.10.2019

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