



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2019

CORAM:

WEB COPY

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

Crl.O.P.(MD)No.996 of 2018

and

Crl.M.P.(MD)No.418 of 2018

K.Balasubramanian

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
C.B.C.I.D., Madurai.

3.The Inspector of Police,
Kariyapatti Police Station,
Kariyapatti,
Virudhunagar District.
in Cr.No.395 of 2017.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation of the case in Cr.No.395 of 2017 pending on the file of the 3rd Respondent Police to the file of the 2nd Respondent Police for investigation, based on the Petitioner's complaint in the form of representation dated 04.11.2017 made to the 1st Respondent.

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 investigation of the case in Crime No.395 of 2017 pending on the file of the 3rd Respondent Police to the file of the 2nd Respondent Police.

2.The learned Government Advocate (Crl.side) on instructions would submit that after investigation, the third respondent has closed the complaint as "Mistake of Fact" and the final report has been filed before the concerned Magistrate and referred charge sheet



notice also served on the petitioner through Registered Post with Acknowledgment Card (RPAD).

3.The learned counsel for the petitioner would submit that the petitioner has not received any referred charge sheet from the third respondent.

3.Recording the submissions made by the learned Government Advocate (Crl.side), this Criminal Original Petition is dismissed as infructuous. However, the third respondent is directed to serve the copy of the referred charge sheet to the petitioner. On receipt of the same, the petitioner is at liberty to file a protest petition, before the concerned jurisdictional Magistrate, in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Deputy Superintendent of Police,
C.B.C.I.D., Madurai.
- 3.The Inspector of Police,
Kariyapatti Police Station,
Kariyapatti,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. THIRUMURUGAN, Advocate (SR-85421[F] dated 05/09/2019)

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04.09.2019

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MS/24.09.2019/2P.6C