



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.12385 of 2018

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... Petitioner/Sole Accused

Vs.

1. The Superintendent of Police
Kanyakumari District
Kanyakumari

2. The Inspector of Police
Rajakkamangalam Police Station
Rajakkamangalam
Kanyakumari District

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st Respondent to withdraw and transfer the case in Crime No.100 of 2018 on the file of the Inspector of Police, Rajakkamangalam Police Station, Rajakkamangalam, Kanyakumari District to any other agency which is more competent in the circumstances of the present case forthwith.

For Petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to direct 1st Respondent to withdraw and transfer the case in Crime No.100 of 2018 on the file of the Inspector of Police, Rajakkamangalam Police Station, Rajakkamangalam, Kanyakumari District to any other agency which is more competent in the circumstances of the present case forthwith.

2. Today when the matter is taken up for hearing the learned Government Advocate(Crl.Side) would submit that based on the complaint given by the defacto complainant the respondent police conducted enquiry and closed the complaint as ' Mistake of Fact'.

3. Recording the aforesaid submission, this Criminal Original Petition is closed. However the respondent police is directed to serve PCS notice to the defacto complainant and on receipt of the



RCS notice the petitioner is at liberty to file a protest petition before the concerned jurisdictional Magistrate.

Sd/-

Assistant Registrar (records)

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// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Kanyakumari District, Kanyakumari
2. The Inspector of Police
Rajakkamangalam Police Station
Rajakkamangalam, Kanyakumari District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

+1 CC to Mr.S.PALANI VELAYUTHAM, Advocate (SR-100508[F] dated 22/11/2019)

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MK (09.12.2019) 2P 5C