



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.(MD) No.14131 of 2019

WEB COPY

S.Sundar

... Petitioner/Defacto
Complainant

Vs.

1. The Superintendent of Police
Sivagangai District
Sivagangai

2.The Superintendent of Police
Indian Railway Police Station
Trichy

3.The Sub Inspector of Police
Railway Police Station
Manamadurai
Sivagangai District
(Crime No.3 of 2018)

... Respondents/Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents 1 and 2, to transfer the investigation from the third respondent to some other competent investigation officer in connection with Crime No. 3 of 2018 on the file of the third respondent and to file final report within a time as may be fixed by this Honourable Court in accordance with law on the basis of the representation of the petitioner dated 09.11.2018, 08.01.2019 and 18.09.2018.

For Petitioner : Mr.A.Mohan
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(CrI.Side)

ORDER

This petition has been filed seeking direction to direct the first and second respondents, to transfer the investigation from the third respondent to some other competent investigation officer in connection with Crime No. 3 of 2018 on the file of the third respondent and to file final report in accordance with law on the basis of the representation of the petitioner dated 09.11.2018, 08.01.2019 and 18.09.2018.

2. The learned counsel for the petitioner would submit that on the complaint lodged by the petitioner, third respondent registered

<https://hcservices.ecourts.gov.in/hcservices/>



a case in crime No 03 of 2018 for offences under Section 174 Cr.P.C and after conducting investigation they closed the case as 'Action Dropped'. Even then the petitioner was not served with RCS notice till today.

3. Considering the above facts and circumstances transfer of investigation would not arise now. Hence the Criminal Original Petition stands dismissed. Further the third 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-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police
Sivagangai District
Sivagangai

2.The Superintendent of Police
Indian Railway Police Station
Trichy

3.The Sub Inspector of Police
Railway Police Station
Manamadurai
Sivagangai District

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

+1 CC to Mr.A.MOHAN, Advocate (SR-91578[F] dated 09/10/2019)

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MK (18.10.2019) 2P 6C