



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2019

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P. (MD) No.17901 of 2018

Sakthivel

... Petitioner/Defacto Complainant

-VS-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Koodakovil Police Station,
Thirumangalam Taluk,
Madurai District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent to transfer the investigation of the case in Crime No.109 of 2018 from the second respondent to any other investigating officer for complete the investigation and to file charge sheet within stipulated time.

For Petitioner : Mr.Rajaselvam,
for Mr.R.Alalgumani.

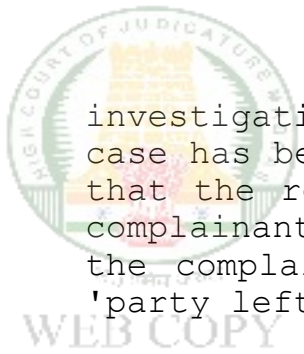
For Respondents : Mrs.S.Bharathi,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation of the case in Crime No.109 of 2018 from the second respondent to any other investigating officer for completing the investigation and to file charge sheet within stipulated time.

2. The learned counsel for the petitioner would submit that the petitioner is the defacto complainant, apprehending that the investigation is not done in a proper manner, he had filed this petition seeking transfer of investigation.

3.When the matter is taken up for hearing the learned Government Advocate (Criminal Side) would submit that the



investigation has been completed in Crime No.109 of 2018 and the case has been closed as 'mistake of fact'. She would further submit that the referred charge sheet notice has been sent to the defacto complainant/petitioner by registered post to the address given in the complaint and the same was returned with the endorsement that 'party left' from this address.

4.At this juncture, the learned counsel for the petitioner would submit that he has not received any notice from the respondent police. Further, he has also not received any notice from the court below with regard to the acceptance of the final report.

5.As per direction of this Court, the Xerox copy of the referred charge sheet notice is served on the counsel for the petitioner today, ie.06.12.2019.

6.In the said circumstances, the petitioner is at liberty to approach the concerned Jurisdictional Magistrate and initiate appropriate action in the manner known to law.

7.Accordingly, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

das

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Koodakovil Police Station,
Thirumangalam Taluk,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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