



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2019

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

Crl.O.P (MD) No.17501 of 2019

WEB COPY

Alagulingam

.. Petitioner

Vs

1. The Superintendent of Police
O/o. The Superintendent of Police
Ramanathapuram District
Ramanthapuram

2. The Inspector of Police
CBCID, Ramanathapuram District

3. The Inspector of Police
Sayalkudi Police Station
Ramanathapuram District
(Crime No.227 of 2018)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, directing the respondent no 1. to withdraw the case in crime no.227 of 2018 dated 26.12.2018 on the file of respondent no.3 and entrust the same to the second respondent for investigation of the case by a competent officer and file a final report before the jurisdictional Magistrate within the time period stipulated by this Court

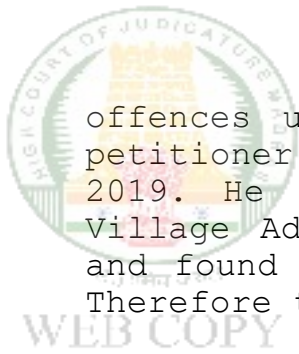
For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr. K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

O R D E R

This Criminal Original petition has been filed to withdraw the case in crime no.227 of 2018 dated 26.12.2018 on the file of third respondent and entrust the same to the second respondent for investigation of the case by a competent officer and file a final report before the jurisdictional Magistrate within the time period stipulated by this Court

2. The learned Government Advocate(Crl.Side) would submit that on the complaint lodged by the petitioner a case was registered in Crime No.277 of 2018 under Section 'ManMissing' and thereafter the body was found in forest area and on the complaint lodged by the third respondent registered a case in Crime No.227 of 2018 for the



offences under Section 302 and 201 of IPC. In the meanwhile the petitioner also filed Habeus Corpus Petition in HCP(MD) No.780 of 2019. He further submitted that on the complaint lodged by the Village Administrative Officer they have proceeded with the trial and found that the detinue and the deceased are one and the same. Therefore they closed the FIR in Crime No. 227 of 2018.

3. Considering the above facts and circumstances of the case, at this stage transfer of investigation cannot be considered, which would affect the entire investigation. Hence the Criminal Original Petition stands dismissed. However the third respondent is directed to complete the investigation and file final report before the concerned court within a period of twelve weeks from the date of receipt of a copy of this order. Further the first respondent is directed to monitor the investigation done by the third respondent and shall ensure that the third respondent shall complete the investigation as directed by this Court.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
O/o. The Superintendent of Police
Ramanathapuram District
Ramanthapuram
2. The Inspector of Police
CBCID, Ramanathapuram District
3. The Inspector of Police
Sayalkudi Police Station
Ramanathapuram District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

+1 CC to Mr.T. THIRUMURUGAN, Advocate (SR-102209[F] dated 28/11/2019)

Crl.O.P (MD) No.17501 of 2019
27.11.2019

VB(17.12.2019) 2P 6C

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