

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G. K. ILANTHIRAIYAN

CrI.O.P.No.408 of 2019

H. Batcha, (M/49),
S/o. Khaja Mohaideen,
Editor,
"DESATHIN NAMBIKKAI"
3/817, 7th Street, Krishna Nagar,
Palavakkam, Chennai.

... Petitioner

Vs.

1 The Superintendent of Police,
O/o. The Superintendent of Police,
Vellore District,
Vellore.

2.The Inspector of Police,
(Law and Order),
Thiruvalam Police Station,
Vellore District,
Vellore.

3. The Inspector of Police,
(Law and Order),
Neelankarai Police Station,
Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.199 of 2017 on the file of the 2nd respondent police to the 3rd respondent police i.e., Neelankarai Police Station, Chennai for further investigation as contemplated under Section 219 (1) of Cr.P.C.

For Petitioner : Mr. M. Venkadeshan
For Respondents: Mr.S. Karthikeyan,
Additional Public Prosecutor.

O R D E R

This petition has been filed for transfer of investigation in Crime No.199 of 2017 from the file of the 2nd respondent to the file of the 3rd respondent herein.

2. The learned Additional Public Prosecutor submitted that after registration of FIR, the 2nd respondent had conducted detailed investigation and closed as mistake of fact as early as on 10.01.2018. Aggrieved by the same, the petitioner had approached the concerned Magistrate Court for further investigation and it was also ordered. On the direction issued by the learned Magistrate, again the 2nd respondent had conducted detailed investigation. Thereafter, once again it was closed as mistake of fact on 25.02.2019 after served by the referred charge sheet notice in R.C.No.2 of 2019 to the petitioner/defacto complainant. Therefore, no investigation is pending on the file of the 2nd respondent.

3. Considering the above facts and circumstances, this Courts directed the 2nd respondent police to issue referred charge sheet notice once again to the petitioner/defacto complainant within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is at liberty to file a protest petition in the manner known to law before the concerned jurisdictional Magistrate Court.

4. With the above direction, this Criminal Original Petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

SSI

To

1.The Superintendent of Police,
O/O. The Superintendent of Police, जयते
Vellore District,
Vellore.

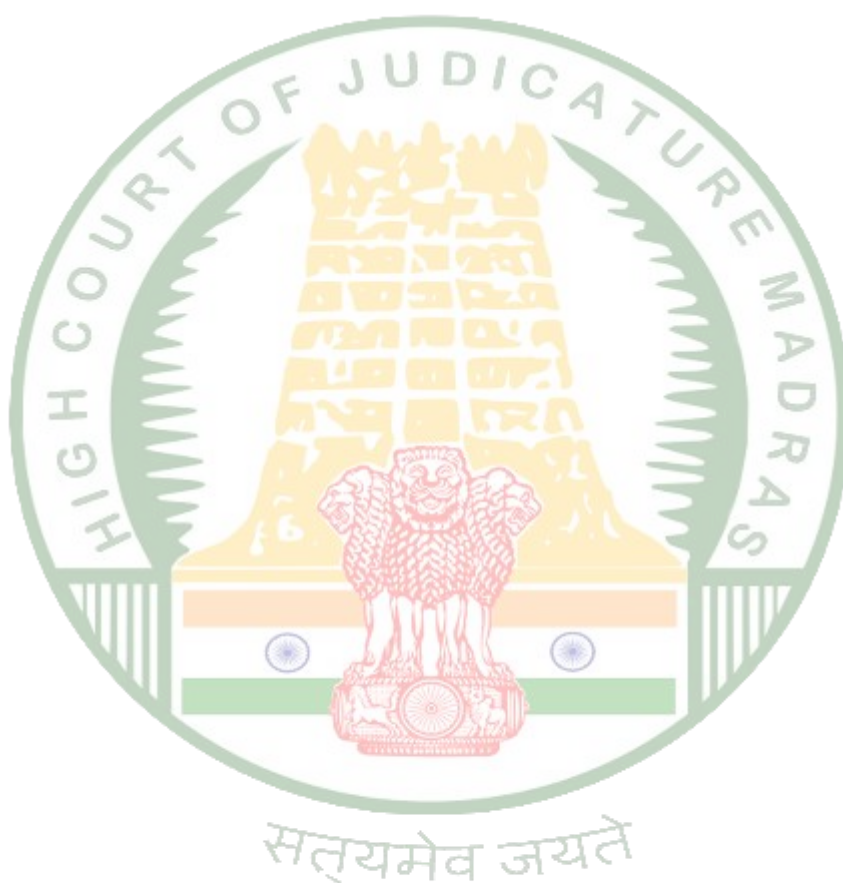
2.The Inspector of Police,
(Law and Order),
Thiruvalam Police Station,
Vellore District,
Vellore.

3. The Inspector of Police,
(Law and Order),
Neelankarai Police Station,
Chennai.

4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.408 of 2019

KS (CO)
SP (01/10/2020)



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