

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.13492 of 2020

N.Santhakumari,
D/o.Natarajan,
No.1/237, Bajanai Koil Street,
Navalur, Chennai-600 130. ...Petitioner

Vs.

The Inspector of Police,
Thalambur Police Station,
Kancheepuram District.
Crime No.641 of 2018. ...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation in Crime No.641 of 2018 pending on the file of Inspector of Police, Thalambur Police Station, Kancheepuram District to CBCID, Kancheepuram.

For Petitioner : Mr.S.Suresh

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.641 of 2018 pending on the file of Inspector of Police, Thalambur Police Station, Kancheepuram District to CBCID, Kancheepuram.

2. The learned Additional Public Prosecutor submitted that a case in Crime No.641 of 2018, the respondent police conducted the investigation and closed the complaint as "mistake of fact" as early as on 11.12.2018. He would further submit that the petitioner was also served with referred charge sheet notice. Hence, he prayed for dismissal of this petition.

3. However, the learned counsel for the petitioner would submit that even till today no referred charge sheet received by the petitioner from the respondent police.

4. Considering the above submission, transfer of investigation would not arise, since no investigation is pending on the file of the respondent police. However, the respondent police is directed to serve the referred charge sheet notice to the petitioner forthwith. On receipt of the same, the petitioner is at liberty to file protest petition before the Court concerned in the manner known to law, if so advised.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Thalambur Police Station,
Kancheepuram District.
- 2.The Public Prosecutor,
High Court, Madras.

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srg 08/10/2020

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