

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.10.2020

Coram

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P.No.11831 of 2019

S.Gnanasowndhari

...Petitioner

-vs -

The Inspector of Police,
Chitlapakkam Police Station,
Chennai.
Crime No.818 of 2018.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to call for the records comprised in Crime No.818 of 2018 and transfer the investigation in Crime No.818 of 2018 pending on the file of respondent police to some other competent investigating agency.

For Petitioner: Mr.R.Vivekananthan

For Respondent: Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

This Criminal Original Petition has been filed for transferring the investigation with respect to the petition mentioned Crime No., namely Crime No.818 of 2018 from the file of the respondent to any other investigating agency.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. Today, when the petition came up for hearing, the learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that in respect of petition mentioned crime number, initially a case has been registered under the provisions of 174 CRPC. On completion of an investigation, the respondent police filed a final report before the RDO, Tambaram on 14.09.2019 wherein it has been mentioned as "further action dropped". Further, it has been fairly conceded by the learned Additional Public Prosecutor appearing for the respondent that

RCS notice has not been served to the de-facto complainant before filing the final report.

4. Recording the aforesaid submission, this Court feels that it would be appropriate to issue a suitable direction for securing the ends of justice.

5. Accordingly, the respondent is directed to serve RCS notice to the de-facto complainant / petitioner, within a period of two weeks from the date of receipt of a copy of this order and on such receipt, the petitioner is at liberty to file a protest application before the competent Court which is having jurisdiction for redressing the grievance made in this petition.

6. With the aforesaid directions, this Criminal original petition stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Chitlapakkam Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Chennai.

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vsn ii (co)
rr ii (11/11/2020)