

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.14926 of 2020

D.Vijaya, 57 years,
W/o.Devaraj,
Door No.2/102, Singilipatti Colony,
Velagoundanapatti Post,
Namakkal Taluk,
Namakkal District.

... Petitioner

Vs

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Inspector of Police,
Velagoundanpatti Police Station,
Namakkal District.
(Crime No.160 of 2014)

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to direct the first respondent to consider the representation of the petitioner dated 14.03.2020 by transferring the investigation in Crime No.160 of 2014 on the file of the second respondent.

For Petitioner : Mr.R.Sanakarasubbu

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

WEB COPY
ORDER

This petition has been filed for transfer of investigation in Crime No.160 of 2014 from the file of 2nd respondent to any other investigating agency.

2.The learned Additional Public Prosecutor submitted that the crime of the year 2014 and entire investigation was

completed as early as on 31.12.2014 and the same was closed as mistake of fact. Though the FIR has been closed as mistake of fact no referred charge sheet notice served to the petitioner/defacto complainant.

3. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

4. Considering the above submission, the transfer of investigation does not arise since the FIR itself now closed as mistake of fact as early as on 31.12.2014. However, the 2nd respondent is directed to serve the referred charge sheet forthwith. On receipt of the same, the petitioner is at liberty to file a fresh protest petition in the manner know to law if so advised.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Inspector of Police,
Velagoundanpatti Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

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Crl.O.P.No.14926 of 2020