

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. No.15261 of 2020

Mallika

...Petitioner

Vs.

1. The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore 641005,
Cr.No.160 / 2020.

2. The Inspector of Police,
Central Crime Branch, Coimbatore,
Police Commissioner Building,
LT Road, Coimbatore - 641018.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation in Cr.No.160/2020 dated 31.01.2020 from the file of the 1st respondent to the 2nd respondent Central Crime Branch at Coimbatore and direct investigation by CCB within a stipulated time.

For Petitioner : Mr.G.Vairava Subramanian

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for transfer of investigation in Cr.No.160 of 2020 from the file of the first respondent to the file of the second respondent for fair investigation.

2. The learned counsel for the petitioner would submit that the petitioner after direction issued by this court, has filed a direction petition before this court and after direction issued by this court, the first respondent registered a case in Cr.No.160 of 2020. Thereafter, it is pending for so many months without conducting any enquiry. Therefore, he sought for change of transfer of investigation from the file of the first respondent to the file of the second respondent.

3. Per contra, the learned Additional Public Prosecutor appearing for the respondents has submitted that after registration of FIR in Cr.No.160 of 2020, the first respondent conducted investigation and closed the same as "mistake of fact" as early as on 01.07.2020 itself. In fact, the first respondent also issued Referred Charge Sheet notice to the petitioner in RCS.No.4 of 2020.

4. Recording the said submission made by the learned Additional Public Prosecutor that no investigation is pending on the file of the first respondent in Cr.No.160 of 2020 and already investigation has been completed and referred charge sheet also closed as "mistake of fact" on 01.07.2020 and also issued RCS.No.4 of 2020 to the petitioner, this petition is closed. However, the petitioner is at liberty to file a protest petition in the manner known to law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore 641005,
Cr.No.160 / 2020.
2. The Inspector of Police,
Central Crime Branch, Coimbatore,
Police Commissioner Building,
LT Road, Coimbatore - 641018.
3. The Additional Public Prosecutor,
High Court, Madras.

Cr1.O.P. No.15261 of 2020

PVS (CO)
RV(21/10/2020)

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