

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

CRL.O.P.NO.16133 OF 2020

Gunamma

.. Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
 2. The Deputy Superintendent of Police,
Krishnagiri.
 3. The Inspector of Police,
Soolagiri Police Station,
Krishnagiri District.
- .. Respondents

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to transfer the investigation in respect of Crime No.353 of 2019 on the file of Inspector of police, Soolagiri Police Station, Krishnagiri District to some other agency and investigate the same and to file the final report.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mrs.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for the relief of transferring the investigation in respect to Crime no.353 of 2019 from the file of the third respondent to some other agency.

2. Heard Mr.D.Rajagopal, learned counsel for the petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the respondents.

3. Today when the petition came up for hearing, learned Additional Public Prosecutor appearing for the respondents on instruction would submit that in respect of the petition mentioned crime number, the third respondent police herein had completed the investigation and files a final report on 02.07.2020 itself as "Further Action Drop". Further, he has circulated a copy of the said final report filed by the respondents police.

4. In the said circumstances, the learned counsel for the petitioner would submit that before filing the final report before the learned Judicial Magistrate No.I, Hosur, the respondents police have not served RCS notice on the petitioner and because of the same, the petitioner lost her opportunity to file protest petition before the concerned Magistrate.

5. In this regard, considering the facts and circumstances of the case, this Court directs the third respondent to serve a copy of RCS notice immediately within a period of one week from the date of receipt of a copy of this order. Thereafter, it is for the petitioner to file an appropriate petition before the competent forum within a period of two weeks from the date of receipt of a copy of RCS notice.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.1, Hosur.

2. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

3. The Deputy Superintendent of Police,
Krishnagiri.

4. The Inspector of Police,
Soolagiri Police Station,
Krishnagiri District.

5. The Additional Public Prosecutor,
High Court, Madras.

+lcc to Mr.D.Rajagopal, Advocate in sr.no.33685

Crl.O.P.No.16133 of 2020

RR(CO)
CS/04/11/2020



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