

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 15732 of 2017

S.Mukundan,
S/o. N.Somasundaram

... Petitioner

Vs.

1. State rep. by
Deputy Commissioner of Police,
Pulianthope,
Chennai-12.

2. The Inspector of Police,
P2 Otteri Police Station,
Chennai-12.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to transfer the investigation in Crime No.1385 of 2017 on the file of 2nd respondent to the CBCID, Egmore.

For Petitioner : Mr.D.Vinoth Raj

For Respondents: Mr.K.Prabakar,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.1385 of 2017 from the file of 2nd respondent to CBCID, Egmore, Chennai.

2. The learned Additional Public Prosecutor would submit that after the registration of the complaint given by the petitioner in crime No.1583 of 2017 under Section 174 of Crl.P.C., it was altered to Section 174 (3) of Crl.P.C. The report filed by the Revenue Divisional Officer would reveal that there is no dowry harassment by the accused persons. Therefore, it was closed as 'action dropped' and filed a final report before the Revenue Divisional Officer on 20.12.2017.

3. Considering the said submission made by the learned Additional Public Prosecutor, there is no investigation pending

on the file of the 2nd respondent police, since it was already closed as early as on 20.12.2017. Therefore, this Criminal Original Petition is dismissed. However, the 2nd respondent is directed to file a final report before the concerned Magistrate within a period of four weeks from the date of receipt of the copy of this order after serving the referred charge sheet notice to the petitioner and also to the defacto complainant. On receipt of referred charge sheet notice, the petitioner is at liberty to file a protest petition before the concerned court, if so advised.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Pulianthope,
Chennai-12.
2. The Inspector of Police,
P2 Otteri Police Station,
Chennai-12.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

CRL.O.P. No. 15732 of 2017

SSV(CO)

RMP(07/08/2020)

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