

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Cr1.O.P.No.31516 of 2019

V.Krupanand

...Petitioner/Defacto Complainant

Vs

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.
3. The Deputy Superintendent of Police,
District Crime Branch,
Krishnagiri.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code praying to transfer the investigation from the Inspector of Police, Krishnagiri Taluk Police Station, Krishnagiri in Cr.No.574 of 2019 dated 03.11.2019 to the Deputy Superintendent of Police, attached to the District Crime Branch, Krishnagiri under the supervision of the Superintendent of Police, Krishnagiri District.

For Petitioner: T.Nixon.

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor.

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O R D E R

(through Video Conference)

This Criminal Original Petition has been filed seeking for a relief to transfer the investigation from the Inspector of Police, Krishnagiri Taluk Police Station, Krishnagiri in Cr.No.574 of 2019 dated 03.11.2019 to the Deputy Superintendent of Police, attached to the District Crime Branch, Krishnagiri

under the supervision of the Superintendent of Police, Krishnagiri District.

2.Heard Mr.T.Nixon, learned Counsel appearing for the Petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3.

3.Today, when the petition is came up for hearing, the learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3, on instructions, would submit that in respect of the petition mentioned crime number i.e., Cr.No.574 of 2019 dated 03.11.2019, the second respondent police had completed the investigation and filed final report on 03.02.2020 as Mistake of fact. Further, he would submit that in respect of the closure of investigation, notice in R.C.S.No.1 of 2020 has been served to the petitioner. The said submission is recorded.

4.In respect of the same, the learned Counsel appearing for the petitioner would submit that it is not correct to say that the petitioner was served with R.C.S.No.1 of 2020 as he has not yet received any such notice. Therefore, considering the submission of the learned Counsel for the Petitioner, it would be appropriate to direct the second respondent police to serve the R.C.S. notice once again to the petitioner.

5.Accordingly, the second respondent police is directed to serve the notice in R.C.S.No.1 of 2020 to the petitioner within a period of two weeks from the date of receipt of copy of this order. Upon such receipt of the notice, the petitioner is at liberty to file proper application as per law before the appropriate forum. With the above directions, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

3. The Deputy Superintendent of Police,
District Crime Branch,
Krishnagiri.

4. The Public Prosecutor,
High Court of Madras,
Chennai.

+lcc to Mr.T.Nixon, Advocate, S.R.No.36356

Cr1.O.P.No.31516 of 2019

SS(CO)
RV(02/12/2020)



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