



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R. PONGIAPPAN**

CrI.O.P. (MD)No.10301 of 2020

WEB COPY

C.Arun Thirumoolanathan

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
(in Crime No.185 of 2018)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.185 of 2018 from the file of the Inspector of Police, Murappanadu Police Station, Thoothukudi District to the Crime Branch, Criminal Investigation Department of any District within the State of Tamil Nadu.

For Petitioner : Mr.B.N.Raja Mohamed

For Respondents : Mr.S.Chandra Sekar
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to direct the first respondent police to withdraw the investigation made in Crime No.185 of 2018 dated 07.05.2019 pending the file of the second respondent and to entrust the same to the Crime Branch, Criminal Investigation Department of any District within the state of Tamil Nadu.

2.Today, when the petition is taken for hearing, Mr.S.Chandra Sekar, learned Additional Public Prosecutor, on instructions, would submit that in respect of the petition mentioned Crime No.185 of 2018, the second respondent herein had completed the investigation and filed a final report before the Jurisdictional Magistrate on 18.12.2019 itself as "Mistake of Fact". He would further submit that when at the time the second respondent was attempted to serve RCS notice, the petitioner herein refused to receive the same. In this regard, the second respondent police is having the document.



3. Recording the same, this Criminal Original Petition is closed as no further order is necessary.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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