



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.09.2020**

CORAM:

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

CrI.O.P.[MD]No.21150 of 2018

Shek Davood

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The State represented by
The Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai, Tirunelveli District.

3.The Inspector of Police,
CBCID, Perumalpuram,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass an order withdrawing the investigation in Crime No.336 of 2018, on the file of the Inspector of Police, Thisaiyanvilai Police Station, Thisaiyanvilai, Tirunelveli District and transfer the same to the third respondent herein or to any other agency for further process of investigation.

For Petitioner	: Mr.S.Palani Velayutham
For Respondents	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Criminal side)

O R D E R

This criminal original petition has been filed seeking a direction to direct the first respondent to withdraw the investigation in Crime No.336 of 2018, pending on the file of the Inspector of Police, Thisaiyanvilai Police Station, Thisaiyanvilai, Tirunelveli District and to transfer the same to the third respondent herein or to any other Agency for further process.

2. Today, when the petition is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents, on instructions, would submit that in respect of the above said Crime No.336 of 2018, the second respondent herein has completed the investigation and filed a final report on 03.11.2019, before the learned Judicial Magistrate, Nanguneri as "Mistake of fact". The aforesaid submission made by the learned Government Advocate (Criminal side) is recorded.



3. Considering the submission made by the learned Government Advocate (Criminal side) appearing for the respondents, since the prayer sought for by the petitioner has become infructuous, the Criminal Original Petition stands closed.

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Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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.

tsg

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai, Tirunelveli District.
- 3.The Inspector of Police,
CBCID, Perumalpuram,
Palayamkottai,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.[MD]No.21150 of 2018
18.09.2020

MA (CO)
KB (29.09.2020) 2P 5C