



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2020

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.20967 of 2016

WEB COPY

Muthulakshmi

... Petitioner

Vs.

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

2.The Inspector of Police,
Ambasamudram Police Station,
Ambasamudram,
Tirunelveli District.
(Crime No.73 of 2016)

... 2nd Respondent/Defacto
Complainant

Prayer:Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the first respondent to transfer the investigation in Cr.No.73 of 2016 dated 11.03.2016 pending on the file of the 2nd respondent to any other competent authorities and to complete the investigation within the stipulated period.

For Petitioner : Mr.S.R.A.Ramachandran

For R1 & R2 : Mr.ER.Bharathi Kannan
Government Advocate (Crl.Side)

O R D E R

This petitioner has been filed to transfer the case in Cr.No.73 of 2016 dated 11.03.2016 pending on the file of the 2nd respondent to any other competent authorities.

2. Heard Mr.S.R.A.Ramachandran, learned counsel appearing for the petitioner and Mr.ER.Bharathi Kannan, learned Government Advocate (Crl.Side) appearing for the respondents.

3.The learned learned Government Advocate (Crl.Side) appearing for the respondents would submit that on the complaint lodged by the petitioner, second respondent registered a case in Cr.No.73 of 2016 for offences under Section 420 I.P.C and after conducting investigation they closed the case as 'Further Action Dropped'. He further submitted that RCS notice also served to the



defacto complainant/petitioner.

4.However, the learned counsel appearing for the petitioner would submit that the petitioner was not served with RCS notice till today.

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5. Considering the above facts and circumstances transfer of investigation would not arise now. Hence the Criminal Original Petition stands dismissed. Further the second respondent is directed to serve RCS notice to the petitioner forthwith and on receipt of the same, the petitioner is at liberty to file protest petition in the manner known to law.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss

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,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Ambasamudram Police Station,
Ambasamudram,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.20967 of 2016

08.10.2020

KG(CO)

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