



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2020

CORAM:

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

Crl.O.P.(MD).No.23710 of 2016

and

Crl.M.P(MD)No.12503 of 2016

WEB COPY

R.Perumal

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District @ Dindigul.

2.The Inspector of Police,
Taluk Police Station,
Dindigul District.
Cr.No.521 of 2016

3.Sadham Hussan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the first respondent to transfer the investigation of the case in Crime No.521 of 2016, pending on the file of the 2nd respondent to any other competent agency for a proper and fair investigation and consequently to direct the 1st respondent to monitor the investigation under his supervision and pass such further or other order as this Hon'ble Court may deem fit and proper.

For Petitioner : Mr.N.Sathish Babu

For R1 & R2 : Mr.R.Erottuchamy

Government Advocate (Crl.side)

O R D E R

This petition has been filed to transfer the investigation of the case in Crime No.521 of 2016, pending on the file of the second respondent to any other competent agency.

2.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that based on the complaint given by the petitioner, the second respondent police has registered the case in Crime No.521 of 2016. After completion of investigation, the same was closed as 'mistake of fact' and RCS.No.70 of 2018 has also been filed before the concerned Court. He would further submit that a copy of the referred charge sheet has also been served to the petitioner/defacto complainant.

3.The learned counsel appearing for the petitioner would submit that so far the petitioner did not receive any copy of the referred charge sheet notice.



4. Recording the said submission made by the learned Government Advocate (Crl.side), this Criminal Original Petition is dismissed. However, the second respondent is directed to serve the referred charge sheet notice to the petitioner/defacto complainant within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is at liberty to file a protest petition before the jurisdictional Magistrate Court in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

To

- 1.The Superintendent of Police,
Dindigul District @ Dindigul.
- 2.The Inspector of Police,
Taluk Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madruai.

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