



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
Crl.O.P. (MD)No.7226 of 2016

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V.Govindammal

... Petitioner

-vs-

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

2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

3.The Inspector of Police,
C.B.C.I.D., Madurai.

... Respondents

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to transfer the investigation in Cr.No.566 of 2005 from the second respondent to the third respondent or any other independent agencies.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.A.Robinson,
Government Advocate (Crl.side)

O R D E R

The petitioner's son Parthiban was working as a Grade-I Police Constable in Samayanallur Police Station. He was found dead on 13.12.2015. The petitioner's specific allegation is that it is a case of murder. In this regard, Crime No.566 of 2005 was registered on the file of Samayanallur under Section 174 of Cr.P.C. Contending that proper investigation is not being conducted, this Criminal Original Petition has been filed seeking transfer of investigation.

2.When the matter was taken up for hearing, the learned Government Advocate submitted that final report had been made ready proposing to drop further action in the matter. He further pointed out that RCS Notice was served on the petitioner herein. The final report is dated 30.01.2006. But then, it appears that it was not filed before the jurisdictional Magistrate.

3.Therefore, I direct the second respondent to file the said final report before the jurisdictional Magistrate. The petitioner Govindammal will have to be necessarily served with a copy of the same together with the RCS notice. The petitioner will be given an



opportunity to file a protest petition before the jurisdictional Magistrate. The learned Magistrate will take a decision as per law.

4. With this direction, this Criminal Original Petition is disposed of.

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Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pnn

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Samayanallur Police Station,
Madurai District.
3. The Inspector of Police,
C.B.C.I.D., Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MK (24.02.2020) 2P 5C