



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

CrI.O.P.(MD) No.17278 of 2018

Sivaramalingam,

... Petitioner / Defacto Complainant

-vs-

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.

2. The State Rep. by
The Inspector of Police,
Kottar Police Station,
Kottar,
Kanyakumari District.
(Crime No.136 of 2017)

3. The Deputy Superintendent of Police,
CB CID, Perumalpuram, Palayamkottai,
Tirunelveli District. ... Respondents / Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying a direction to change the investigation in Crime No.136 of 2017, from the file of the second respondent to the third respondent for further effective, sincere and unbiased investigation forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.APG.Ohm Chairma Prabhu
Govt. Advocate (CrI.Side)

O R D E R

This petition has been filed seeking a direction, to change the investigation in Crime No.136 of 2017, from the file of the second respondent to the third respondent for further effective, sincere and unbiased investigation.

2.Today, when the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents, on instructions, would submit that investigation has been completed



in Crime No.136 of 2017 and a closure report has also been filed on 04.03.2018 as 'Undetected'.

3.At this juncture, the learned counsel appearing for the petitioner would submit that in respect of filing of closure report, the investigation officer has not served any RCS Notice to the petitioner.

4.Recording the above said submissions, this Criminal Original Petition is closed, with a direction to the second respondent police to serve RCS notice on the petitioner, within a period of two weeks from the date of receipt of a copy of this order. Liberty is granted to the petitioner to approach the appropriate forum seeking appropriate relief, in case, he receives RCS notice.

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,
Kanyakumari District, Nagercoil.
2. The Inspector of Police,
Kottar Police Station, Kottar,
Kanyakumari District.
- 3.The Deputy Superintendent of Police,
CB CID, Perumalpuram,
Palayamkottai, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P.(MD) No.17278 of 2018

05.08.2020

smn2

SDS (14.08.2020) 2P-5C