

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.5060 of 2015

A.Ganapathy (58 years)
S/o.K.Azhagar (Late)
Old No.15, New No.27,
Mahadevan Street,
West Mambalam,
Chennai.600033.

... Petitioner

-Vs.-

1. State represented by
The Inspector of Police (L & O)
R-3, Ashok Nagar Police Station,
Ashok Nagar, Chennai 600 083.

2. Mr.Ashok Kumar
Assistant Commissioner of Police,
R-3, Ashok Nagar Police Station,
Ashok Nagar, Chennai 600 083.

3. The Commissioner of Police,
Egmore, Chennai 600 008.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the investigation in the case in Cr.No.152 of 2014 on the file of the 1st respondent to be transferred to some other officer/agency and direct the completion of investigation after recovery of stolen articles, and possession of the immovable property concerned and arrest interrogation of the accused in the case in accordance with law.

For Petitioner: Mr.R.Baskaradoss

For Mr.V.Chandrasekaran

For R1 & R3 : Mr.C.Iyyapparaj
Additional Public Prosecutor

For R2 : M/s.C.Shyaamala

O R D E R

(The case has been heard through video conference)

This Criminal Original Petition has been filed seeking to transfer the case in Crime No.152 of 2014 pending on the file of the 1st respondent to some other Agency and to complete the investigation.

2. It is reported by the learned Additional Public Prosecutor that the investigation in Crime No.152 of 2014 has been completed and the case has been referred as mistake of fact. After duly serving the notice on the defacto complainant, the final report has been filed before the XVII, Metropolitan Magistrate, Saidapet, Chennai on 11.03.202019 and taken in RCS.No.1 of 2019 on 16.03.2019. He would further submit that the petitioner has not challenged the final report or filed any protest petition sofar. In the meanwhile, the petition for transfer has become infructuous. He would further submit that the respondents understand that the petitioner has passed away.

3. In view of the above, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msrm

To

1. The Inspector of Police (L & O)
R-3, Ashok Nagar Police Station,
Ashok Nagar, Chennai 600 083.

2. The Commissioner of Police,
Egmore, Chennai 600 008.

3. The Public Prosecutor,
High Court of Madras,
Chennai.

4.XVII Metropolitan Magistrate, Saidapet, Chennai.
+1 cc to M/s.V.Chandrasekaran, Advocate Sr.No. 4114

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AK(CO)

RMP(17/02/2021)