



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVA

Crl.O.P.(MD) No.8095 of 2021

and

Crl.M.P.(MD) No.4168 of 2021

Mercy Jebarani

... Petitioner/Defacto Complainant

Vs.

1. Deputy Inspector General of Police,
O/o. Deputy Inspector General of Police,
Southern Zone,
Madurai District.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.
3. The Assistant Superintendent of Police,
O/o. the Assistant Superintendent of Police,
Cheranmahadevi,
Tirunelveli.
4. The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
Crime No.201 of 2021

5. Pradeep

6. Sugadevi

... Respondents / Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent to withdraw the case in Crime No.201 of 2021 dated 29.04.2021 on the file of the 4th respondent and entrust the same to the 2nd respondent for an investigation of the case by a competent officer or any other independent investigating agency and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For R1 to R4 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.Side)

ORDER

This petition is filed seeking a direction to the 2nd respondent to transfer the case in Crime No.201 of 2021 from the file of the 4th respondent to the 2nd respondent for an investigation of the case by a competent officer or any other independent investigating agency and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

<https://hosevsnoreport.in/hosevsnoreport>



2. When the matter was taken up for hearing on 27.08.2021, the learned Additional Public Prosecutor (CrI.side) appearing for the respondents 1 to 4 submitted that the investigation has been completed and RCS notice has also been prepared and the case has been closed as mistake of fact. So, this Court directed the learned Additional Public Prosecutor (CrI.side) to circulate a copy of the closure report along with RCS notice to this Court and the matter was directed to be listed today.

3. The learned counsel for the petitioner would submit that the petitioner has received the RCS notice.

4. Since the investigation has been completed and the closure report has also been filed before the concerned Court, nothing survives for further consideration in this petition. Accordingly, this petition is dismissed as infructuous as transfer of investigation does not arise. However, liberty is granted to the petitioner to workout the remedy through appropriate proceedings. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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. Deputy Inspector General of Police,
O/o. Deputy Inspector General of Police,
Southern Zone,
Madurai District.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.
3. The Assistant Superintendent of Police,
O/o. the Assistant Superintendent of Police,
Cheranmahadevi, Tirunelveli.



4.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-27673[F] dated
31/08/2021)

Crl.O.P. (MD)No.8095 of 2021
27.08.2021

_RD(6.09.2021) 3P 7C