



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.14734 of 2021

Athi Veerapandian

... Petitioner

Vs.

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

2.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram,
Ramanathapuram District.
(Crime No.369 of 2021)

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent to withdraw the investigation of the FIR in Crime No.369 of 2021 from the 2nd respondent and to hand over the same to any other independent and efficient investigation officer attached to some other police station or any other investigation agency for conducting appropriate investigation in the above mentioned FIR in a manner known to law.

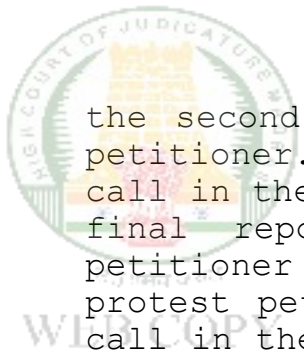
For Petitioner : Mr.M.Karthik Pandian
For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

The petitioner is the defacto complainant in Crime No.369 of 2021. Seeking transfer of investigation, this criminal original petition has been filed.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor for the respondents submitted that the investigation has been concluded and it is proposed to refer the case as mistake of fact. On account of the medical indisposition of the investigation officer, the final report could not be made ready.

3.Taking note of these submissions, the second respondent is directed to file the final report before the jurisdictional Magistrate within a period of two weeks. Before filing the same,



the second respondent shall also serve a copy of the same on the petitioner. It is open to the jurisdictional Magistrate to take a call in the matter. If the learned Magistrate decides to accept the final report, then the Magistrate will issue notice to the petitioner herein and the petitioner will be entitled to file a protest petition. Thereafter, it is for the Magistrate to take a call in the matter. All the contentions of the petitioner are left open. The entire exercise shall be concluded on merits and in accordance with law within a period of four months.

4.This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar (CO)

// True Copy //

/ /2021
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,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram,
Ramanathapuram District.
- 3.The Judicial Magistrate No.1
Ramanathapuram District.
- 4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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