



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P. (MD) No.21925 of 2018

and CrI.M.P. (MD) .No.10201 of 2018

Sadhasivam

... Petitioner/Defacto Complainant

Vs.

1.The Joint Director and Head of the Zone,
Central Bureau of Investigation,
3rd Floor, EVKS Building,
College Road, Chennai - 06.

2.The Deputy Superintendent of Police,
Railway Police,
Karaikudi,
Sivagangai District.

3.The Deputy Superintendent of Police,
Railway Police, Madurai.

4.The Inspector of Police,
Railway Police Station,
Karaikudi, Sivagangai District.
Crime No.15 of 2018.

... Respondents/Complainant

5.Balamurugan

6.Radha

7.Ramachandran

8.Ramamoorthy

... Respondents/Accused No.5 to 8

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the criminal case in Cr.No.15 of 2018 on the file of the 4th respondent dated 03.10.2018 to the 1st respondent and further direct the respondent conduct the investigation and file final report before the Principal District and Sessions Judge, (PCR Court), Sivagangai, within a stipulated time fixed by this Court.

For Petitioner

: Mr.S.M.Anantha Murugan

For Respondents

: Mr.E.Antony Sahaya Prabahar
for R1 to R4

Additional Public Prosecutor



ORDER

This petition has been filed seeking order to transfer the criminal case in Cr.No.15 of 2018 on the file of the 4th respondent dated 03.10.2018 to the 1st respondent and further direct the respondent conduct the investigation and file final report before the Principal District and Sessions Judge, (PCR Court), Sivagangai, within a stipulated time fixed by this Court.

2.When the matter is taken up for hearing, there is no representation for the petitioner. The learned Additional Public Prosecutor submitted that investigation has been completed and final report was also filed before the District and Sessions Judge, Special Court of PCR Cases, Sivagangai, in Spl.S.C.No.10 of 2019 and all the accused persons namely Accused Nos.1 to 5, 1) Ramachandran, 2)N.Radha, 3)O.T.John, 4)E.Mohan and 5)Jebaraj, have filed an application in Crl.O.P.(MD).No.11789 of 2019, before this Court seeking quashment of proceedings and by the order dated 17.10.2019, the petition was allowed and the above said Spl.S.C.No.10 of 2019 has been quashed in respect of the petitioners therein. Wherein, the respondents 5 and 8 are not arrayed as parties.

3.Since the final report has been filed in Spl.S.C.No.10 of 2019 before the Special Court and the same has been quashed by this Court, nothing survives in this petition for further consideration and direction and the prayer sought for in this petition has become infructuous. In the above said criminal original petition, the petitioner has also entered appearance through Advocate and in his presence the above said order has been passed.

4.In view of the above this criminal original petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.D II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Joint Director and Head of the Zone,
Central Bureau of Investigation,
3rd Floor, EVKS Building,
College Road, Chennai - 06.
- 2.The Deputy Superintendent of Police,
Railway Police,
Karaikudi,
Sivagangai District.
- 3.The Deputy Superintendent of Police,
Railway Police, Madurai.
- 4.The Inspector of Police,
Railway Police Station,
Karaikudi, Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.21925 of 2018
16.11.2021

RS (30.11.2021) 3P 6C