



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18329 of 2021

G.Masilamani

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
CBCID,
Tirunelveli.

3.The Inspector of Police,
Kalakad Police Station,
Kalakad, Nanguneri Taluk,
Tirunelveli District.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent herein to transfer the investigation in Crime No.265 of 2018 on the file of the 3rd respondent/police, from the 3rd respondent to 2nd respondent for conducting an impartial, unbiased investigation the matters in accordance with law.

For Petitioner : Mr.R.M.Suresh
For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

O R D E R

This criminal original petition has been filed seeking transfer of investigation in Crime No.265 of 2018 registered on the file of the third respondent.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the final report was made ready as early as on 12.08.2018, closing the case as mistake of fact. It is unfortunate that till date the petitioner has not been served with the copy of the closure report. Such a long delay cannot be appreciated.

3.Be that as it may, the third respondent is directed to serve a copy of the closure report on the petitioner within a period of one week from the date of receipt of a copy of this order. Parallely, the same will be filed before the jurisdictional



Magistrate Court also. The jurisdictional Magistrate will issue notice to the petitioner herein and the petitioner is at liberty to file a protest petition. Thereafter, the jurisdictional Magistrate will take a call whether to accept the final report or not. The entire exercise shall be concluded within a period of three months from the date of receipt of a copy of this order. The Registry is directed to mark a copy of this order to the learned Judicial Magistrate, Nanguneri.

4.This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CRL)

// 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.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
CBCID, Tirunelveli.
- 3.The Inspector of Police,
Kalakad Police Station,
Kalakad, Nanguneri Taluk,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Judicial Magistrate,Nanguneri.

Crl.O.P(MD)No.18329 of 2021
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DJ(CO)

KB(04.12.2021) 2P 6C