



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD) No.19853 of 2021

WEB COPY

K.Kaleeswaran

... Petitioner

Vs.

1. The Director General of Police,
O/o. The Director General of Police,
Beach Road,
Dr. Radhakrishnan Salai,
Mylapore,
Chennai.
2. The Inspector General of Police(South Zone),
O/o.The Inspector General of Police(South Zone),
Natham Road, Reserve Line,
Madurai,
Madurai District.
3. The Superintendent of Police,
O/o.The Theni District Superintendent of Police,
Theni,
Theni District.
4. The Deputy Superintendent of Police,
O/o. The Theni Deputy Superintendent of Police,
Theni,
Theni District.
5. The Inspector of Police,
Palanichettypatti police station,
Palanichettypatti Post,
Theni District.
6. The Inspector of Police,
CBCID,
Theni District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the first respondent herein to transfer the investigation of the case in Crime No.446 of 2021 dated 14.10.2021 for the offences under Sections 294(b), 324, 307 of I.P.C. on the file of the Inspector of Police, Palanichettypatti police station, Palanichettypatti, Theni District / 5th respondent to the file of the Inspector of Police, CBCID Theni / 6th respondent within the time stipulated by this Court on the basis of the representation dated 16.11.2021 given by the petitioner.



For Petitioner : Mr.M.Karuppasamy Pandian
For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner is the defacto complainant in Crime No.446 of 2021 registered on the file of the fifth respondent. The petitioner states that the investigation has not been properly conducted, even though it involves Section 307 of I.P.C. He wants transfer of investigation.

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that final report has already been made ready for closing the case as mistake of fact.

4. The fifth respondent is directed to serve RCS notice to the petitioner immediately and also file final report before the jurisdictional Magistrate. If the jurisdictional Magistrate decides to accept the final report, RCS notice will be served afresh on the petitioner so that the petitioner can file protest petition. The learned jurisdictional Magistrate will have to take a call in the matter on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. All the contentions of the petitioner are left open. This criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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 Director General of Police,
O/o. The Director General of Police,
Beach Road,
Dr. Radhakrishnan Salai,
Mylapore, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Inspector General of Police(South Zone),
O/o.The Inspector General of Police(South Zone),
Natham Road, Reserve Line,
Madurai,
Madurai District.
3. The Superintendent of Police,
O/o.The Theni District Superintendent of Police,
Theni,
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4. The Deputy Superintendent of Police,
O/o. The Theni Deputy Superintendent of Police,
Theni,
Theni District.
5. The Inspector of Police,
Palanichettypatti police station,
Palanichettypatti Post,
Theni District.
6. The Inspector of Police,
CBCID,
Theni District.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.19853 of 2021
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RK(04/01/2022) 3P/8C