



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6084 of 2021

and

Crl.M.P.No.3973 of 2021

J.Raghupathi Devi

... Petitioner

Vs.

1. The Deputy Inspector General of Police,
Race-Course,
Coimbatore.

2. The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore.

3. The Inspector of Police,
City Crime Branch,
Coimbatore City.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the first respondent to withdraw the case file in Crime No.13 of 2020 from the file of the 3rd respondent and transfer the same to some other investigation agency under the supervision of the first respondent for fair and de novo investigation.

For Petitioner : Mr.D.R.Arun Kumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to direct the first respondent to withdraw the case file in Crime No.13 of 2020 from the file of the 3rd respondent and transfer the same to some other investigation agency under the supervision of the first respondent for fair and de-novo investigation.



2. The learned Additional Public Prosecutor would submit that the complaint of the petitioner was taken up for investigation in Crime No.13 of 2020. Further, the third respondent has completed the investigation and filed the final report stating "Further Action Dropped", before the Judicial Magistrate No. VII, Coimbatore on 13.12.2020.

3. At this juncture, the learned counsel for the petitioner would submit that the petitioner has not been served with the RCS Notice and he would seek that direction may be issued either to the third respondent or to the concerned Magistrate to issue notice and copy of the final report in accordance with law and the petitioner may be permitted to file protest petition before the concerned Magistrate.

4. In view of the above, the learned Judicial Magistrate No.VII, Coimbatore is directed to furnish the copy of the final report in Crime No. 13 of 2020 on the file of the respondent as per the mandate in Union Public Service Commission Vs S.Papaiya and others reported in 1997 7 SCC 614. The petitioner shall be permitted to file protest petition in the manner known to law.

5. The Criminal Original Petition stands dismissed, accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

nti/rst

To

1. The Judicial Magistrate No. VII,
Coimbatore.
2. The Deputy Inspector General of Police,
Race-Course, Coimbatore.
3. The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore.



4. The Inspector of Police,
City Crime Branch,
Coimbatore City.

5. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.6084 of 2021

SSI(CO)
SU(14/03/2022)