



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.525 of 2022

Ayyappan

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.69 of 2018)

3.The Inspector of Police,
CBCID, Nagercoil,
Kanyakumari District.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent to transfer the investigation of the case in Crime No.69 of 2018, on the file of the 2nd respondent police station to the 3rd respondent and consequently direct the 3rd respondent to file final report before the concerned Court within the time stipulated by this Court.

For Petitioner : Mr.M.Ashok Padmaraj
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side).

O R D E R

This criminal original petition has been filed seeking transfer of investigation in Crime No.69 of 2018. The petitioner is the defacto complainant.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) produced a copy of the final report indicating that a positive charge sheet has been filed against the accused Somu for the offence under Section 306 of IPC.



3.Since the second respondent has filed a positive final report against the named accused, there is no need to effect transfer of investigation. However, the learned Judicial Magistrate No.II, Nagercoil, shall take a call in 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. If the final report said to have been filed by the second respondent is not available, a fresh copy shall be filed forthwith and without any delay.

4.With this direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(Crl side)

// True Copy //

/ /2022

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 Judicial Magistrate NO.II, Nagercoil.

2.The Superintendent of Police,
Kanyakumari District, Nagercoil.

3.The Inspector of Police,
Kottar Police Station, Kanyakumari District.

4.The Inspector of Police,
CBCID, Nagercoil, Kanyakumari District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.ASHOK PADMARAJ, Advocate (SR-1555[F] dated 12/01/2022)

Crl.O.P(MD)No.525 of 2022
12.01.2022

MA(CO)

TR(31.01.2022) 2P 7C

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