



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:16.03.2022
CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
WP (MD) . No.2689 of 2022
and
WMP (MD) . No.2408 of 2022

A.Muthu

... Petitioner

Vs

1. The State of Tamil Nadu represented by its
The Principal Secretary,
O/o. The Principal Secretary,
Secretariat,
Chennai.

2. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District,
Madurai.

3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
CBCID,
Madurai.

4. The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.85 of 2021)

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other order or direction in nature of Writ, directing the Respondent No.2 to withdraw the case in Crime No.85 of 2021 dated 18.02.2021 on the file of Respondent No.4 and enturst the same to Respondent No.3 for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)



O R D E R

This Writ Petition is filed to issue a Writ of Mandamus, directing the Respondent No.2, to withdraw the case in Crime No.85 of 2021 dated 18.02.2021, on the file of Respondent No.4 and entrust the same to Respondent No.3 for an investigation of the case, by a Competent Officer and file a final report before the Jurisdictional Magistrate.

2.The learned Additional Public Prosecutor submitted that on receipt of the complaint, the FIR has been registered in Crime No.85 of 2021 under Section 174 Cr.P.C. After completion of investigation, the case was closed as 'action dropped', on 03.01.2022. Therefore, there is no investigation pending on the file of the fourth respondent. This writ petition is devoid of merits.

3.Accordingly, this writ petition stands dismissed. However, the fourth respondent is directed to serve the copy of the referred charge sheet to the petitioner, within two weeks, from the date of receipt of a copy of this order. On receipt of the said notice, the petitioner is at liberty to file protest petition, in the manner known to law, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Principal Secretary,
The State of Tamil Nadu
O/o. The Principal Secretary,
Secretariat,
Chennai.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District,
Madurai.



3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
CBCID,
Madurai.

4. The Inspector of Police,
Samayanallur Police Station,
Madurai District.

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

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-12680[F] dated 17/03/2022
)

**WP(MD) No.2689 of 2022 and
WMP(MD) . No.2408 of 2022**

Date : 16.03.2022

RD(25.03.2022) 3P 7C