



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.5071 of 2022

K.Muniyasamy

... Petitioner

Vs

1. The Inspector General of Police,
Human Rights and Social Justice Wing,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai.
4. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Human Rights and Social Justice Wing,
Sivagangai District.
5. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Respondent No.2 to withdraw the case in Crime No. 196 of 2021 dated 19.12.2021 on the file of Respondent No.5 and entrust the same to the Respondent No.4 or any other Deputy Superintendent of Police other than the Respondent No.3 for conduct investigation in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor



O R D E R

This petition has been file to direct the second respondent to withdraw the case in Crime No.196 of 2021 dated 19.12.2021 on the file of fifth respondent and entrust the same to the fourth respondent or any other Deputy Superintendent of Police other than the third respondent for conducting investigation in accordance with law

2.The learned Additional Public Prosecutor would submit that the investigation has already been completed and closed the case as "mistake of fact" and referred charge sheet has been filed before the PCR Court, Sivagangai District. Hence, this criminal original petition is devoid of merits. However, the petitioner is at liberty to a file protest petition on the referred charge sheet filed by the respondent.

3.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector General of Police,
Human Rights and Social Justice Wing,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai.
4. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Human Rights and Social Justice Wing,
Sivagangai District.



5. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

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

CRL.O.P (MD) No.5071 of 2022
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RK(31/03/2022) 3P 7C