



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.4720 of 2020

and

Crl.M.P(MD)No.2698 of 2020

WEB COPY

Selin Joseph

... Petitioner/Defacto Complainant

Vs.

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

2.The Inspector of Police,
Kaliyakavilai Police Station,
Kanyakumari District.
(Crime No.58 of 2019).

3.Christobher ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.58 of 2019 from the file of the second respondent to some other unbaised police officer or agency or to conduct fair and proper investigation under his superintendence.

For Petitioner : Mr.K.P.Narayana Kumar

For RR 1 & 2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation in Crime No.58 of 2019 from the file of the second respondent to some other police officer.

2. When the matter is taken up for hearing today, the learned Government Advocate (criminal side) submitted that the second respondent completed the investigation in Crime No.58 of 2019 and closed the same as 'mistake of fact' and also filed a final report before the learned Judicial Magistrate No.I, Kuzhithurai on 07.05.2019 itself.

3. In view of the above, the relief sought for in the petition has become infructuous. Accordingly, this Criminal Original Petition

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



is dismissed as infructuous. However, the petitioner is at liberty to file a protest petition before the concerned jurisdictional Magistrate in the manner known to law, if she is so advised. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Deputy Registrar (LA & MC)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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 Superintendent of Police,
Kanyakumari District,
At Nagercoil.
- 2.The Inspector of Police,
Kaliyakavilai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-9522[F] dated
02/03/2022)

**CrI.O.P(MD)No.4720 of 2020
28.02.2022**

MGJ(16.03.2022) 2P 5C