



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.8729 of 2020

&

Cr1.M.P(MD)No.4110 of 2020

Jeyaveeran

..Petitioner

Vs

1. The State represented by
The Superintendent of Police,
Theni District,
Theni.
2. The State represented by
The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District.
Crime No.168 of 2019.
3. The Inspector of Police,
CBCID Theni District,
Theni.

..Respondents

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to transfer the investigation in Crime No. 168 of 2019 dated 24.03.2019 on the file of the 2nd Respondent to the 3rd Respondent or any other competent authority on the basis of the Petitioner's representation dated 06.08.2020.

For Petitioner : Mr.R.Shankar Ganesh

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

ORDER

The Criminal Original Petition has been filed to transfer the investigation in Crime No. 168 of 2019 dated 24.03.2019 on the file of the 2nd Respondent to the 3rd Respondent or any other competent authority on the basis of the Petitioner's representation dated 06.08.2020.

2. Today when the matter is taken up for hearing the learned Government Advocate (Cr1.Side) would submit that based on the



complaint given by the defacto complainant the respondent police conducted enquiry and closed the complaint as ' Mistake of Fact' before the learned Judicial Magistrate, Uthamapalayam.

3.Since the complaint was closed as ' Mistake of Fact', at this stage, transfer of investigation may not arise and the prayer sought for in this petition has become infructuous. Accordingly, this Criminal Original Petition is dismissed and the petitioner is at liberty to file a protest petition before the concerned jurisdictional Magistrate. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TTA

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,
Theni District,Theni.
2. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District.
3. The Inspector of Police,
CBCID Theni District, Theni.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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Date : 28/03/2022

RD(05/04/2022) 2P 5C