



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.11062 of 2020

&

Cr1.M.P(MD)No.5020 of 2020

S.Arumugam

....Petitioner

Vs

1. The Secretary,
Department of Home Affairs,
State of Tamil Nadu,
Fort St.George,
Chennai.
2. The Director General of Police,
No.1, Dr.Radhakrishna Salai,
Mylapore,
Chennai-600 004.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai,
Madurai District.
4. The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul,
Dindigul District.
5. The Superintendent of Police (South Zone),
O/o. The Superintendent of Police (South Zone),
CBCID,
Madurai.
6. The Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No.1062 of 2020)

....Respondents

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C., to issue a direction directing the 3rd respondent to withdraw the case in Crime No.1062/2020 dated 03.06.2020 registered as Man Missing case on the file of 6th respondent and entrust the same to 5th respondent for an investigation of the case by a



Competent Officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy

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

WEB COPY

ORDER

The Criminal Original Petition has been filed to issue a direction directing the third respondent to withdraw the case in Crime No.1062/2020 dated 03.06.2020 registered as Man Missing case on the file of 6th Respondent and entrust the same to the fifth respondent for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

2. Today when the matter is taken up for hearing the learned Government Advocate(Crl.side) would submit that based on the complaint given by the defacto complainant the respondent police conducted enquiry in Crime No.1062 of 2020 and filed a report before the learned Judicial Magistrate, Palani as 'Action dropped' and RCS notice has been duly served on the defacto complainant.

3.Since there was no investigation pending on the file of the sixth respondent, the transfer of investigation does not arise. Therefore, the prayer sought for in this petition has become infructuous. Accordingly, this Criminal Original Petition is dismissed and the petitioner is at liberty to approach the concerned court by way of protest petition in the manner known to law.Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

// 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 Secretary,
Department of Home Affairs,
State of Tamil Nadu,
Fort St.George,
Chennai.
2. The Director General of Police,
No.1, Dr.Radhakrishna Salai,
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3. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai,
Madurai District.
4. The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul,
Dindigul District.
5. The Superintendent of Police (South Zone),
O/o. The Superintendent of Police (South Zone),
CBCID,
Madurai.
6. The Inspector of Police,
Palani Town Police Station,
Dindigul District.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15154[F] dated 29/03/2022)

ORDER IN
CRL OP(MD) . No.11062 of 2020

&
Cr1.M.P(MD)No.5020 of 2020

Date : 28/03/2022

sb (CO)
TR(08.04.2022) 3P 9C