



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

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

CRL OP(MD). No. 14550 of 2020 and

CRL MP(MD)No. 6848 of 2020

G.Muneeswaran

...Petitioner / Son of Deceased
Vs

1. The State of Tamil Nadu,
Represented by the
The Principal Secretary,
Department of Home,
Secretariat, Fort St. George,
Chennai.
2. The Director General of Police,
Government of Tamil Nadu,
O/o Director General of Police,
Chennai.
3. The Deputy Superintendent of Police CBCID,
O/o Superintendent of Police CBCID,
Madurai District,
Madurai.
4. The Superintendent of Police,
O/o Superintendent of Police,
Madurai District,
Madurai.
5. The Inspector of Police,
Vadipatty Police Station,
Madurai District.
Madurai.
(Crime No.1825 of 2020)

...Respondents

PRAYER :- These Criminal Original Petitions filed under Section 482 Cr.P.C.to direct the Respondent No. 4 to withdraw the case in Crime No.1825 of 2020 dated 20.09.2020 on the file of the Respondent No.5 and entrust of the same to the Respondent No.3 for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time frame fixed by this court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr. K.Sanjai Gandhi

Government Advocate (Criminal Side)



ORDER

This petition has been filed to direct the fourth respondent to withdraw the case in Crime No.1825 of 2020 dated 20.09.2020 on the file of the fifth respondent and entrust of the same to the third respondent for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time frame.

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.1825 of 2020 and completed the investigation and also filed a report before the concerned Magistrate.

3.Since there was no investigation pending on the file of the 5th 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 (Writ)

// 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 Principal Secretary,
Department of Home,
Secretariat, Fort St. George,
Chennai.



2. The Director General of Police,
Government of Tamil Nadu,
O/o Director General of Police,
Chennai.

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

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

5. The Inspector of Police,
Vadipatty Police Station,
Madurai District.
Madurai.

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

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15975[F] dated
01/04/2022)

CRL OP(MD). No.14550 of 2020 and

CRL MP(MD)No.6848 of 2020

Date : 31/03/2022

RK(12/04/2022) 3P 8C