



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Original Jurisdiction

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.22714 of 2018

WEB COPY

Francis

... Petitioner

Vs

1.The Superintendent of Police
Kanyakumari District, Nagercoil

2.The Inspector of Police
CBCID Nagercoil,
No.7c Kurinji Street
Ramanputhur, Nagercoil-629001

3.The Inspector of Police
Marthandam Police Station,
Marthandam Post
Kanyakumari District.
(Cr.No.291/2015)

... Respondents

Prayer :- Criminal Original Petition filed under Section 482 of Criminal Procedure Code to pass appropriate orders directing the First Respondent to withdraw the case in Crime No.291/2015 on the file of the Third Respondent and transfer the case to the Second Respondent or to any other competent investigation agency, and thus render justice.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and upon hearing the arguments of M/s.M.P. Hariprasad, Advocate for the Petitioner and of M/s. R.Sivakumar , Government Advocate(Criminal Side) for the respondents, this Court made the following order:*

This petition has been filed seeking transfer of investigation in Crime No.291 of 2015 from the file of the second respondent to some other investigating agency.

2.In a similar petition moved by the petitioner in Cr1.O.P. (MD).No.7424 of 2016, the learned Additional Public Prosecutor submitted that after the investigation was completed closure report was also filed before the concerned Court as action dropped. It is dated 27.09.2018.

3.After the above said disposal the petitioner has filed a copy application before the concerned Court seeking copy of the closure



report, that was came to be returned stating that no such document has been presented. It is dated 29.11.2018.

4.Let a report be called for from the learned Judicial Magistrate No.I, Kuzhithurai, as to the stage of the Crime No.291 of 2015, on the file of the respondent police.

5.In the meantime, the learned Additional Public Prosecutor shall get instructions from the third respondent and the third respondent also directed to be present before this Court along with entire CD file on 01.12.2021.

6.Registry is directed to sent a notice to the third respondent and list the matter on **01.12.2021**.

Sd/-

Assistant Registrar (C.O.)

// True Copy //

/ /2021

Sub Assistant Registrar(CS II)

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 JUDICIAL MAGISTRATE.NO.1,
KUZHITHURAI
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3.THE SUPERINTENDENT OF POLICE
KANYAKUMARI DISTRICT, NAGERCOIL
- 4.THE INSPECTOR OF POLICE
CBCID NAGERCOIL,
NO.7C KURINJI STREET
RAMANPUTHUR, NAGERCOIL-629001



5.THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
MARTHANDAM POST
KANYAKUMARI DISTRICT.

WEB COPY

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED : 16/11/2021

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ORDER
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CRL OP(MD) . No.22714 of 2018

Giving direction and etc.
as stated within.

PS (CO)
GC/SKN(23.11.2021) 3P 7C