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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.20518 of 2023

G. Selvi

... Petitioner

Vs.

1.The Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Deputy Superintendent of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.
Crime No.10 of 2017

3.The Inspector of Police,
CB- CID
Cuddalore District,
Cuddalore.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to transfer the investigation in Crime No.10 of 2017 from the 2nd respondent police to the 3rd respondent/CBCID to investigate the matter and file a final report in accordance with law in the interest of justice.



For Petitioner : M/S.M.Palanivel
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

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ORDER

This petition has been filed seeking to transfer the investigation in Crime No.10 of 2017 pending investigation on the file of the 2nd respondent to the file of the 3rd respondent.

2. The Learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and a closure report is going to be filed as 'Mistake of Fact'. The learned Additional Public Prosecutor submitted that RCS notice in RCS No.4 of 2019 has already been served on the *defacto* complainant on 27.03.2019. However, the closure report is yet to be filed before the concerned Court.

3. The learned counsel for the petitioner submitted that the *defacto* complainant never received any RCS notice in this case and the *defacto* complainant is not even aware as to the stage of this case till now.

4. Taking into consideration the above submissions, there shall be a direction to the 2nd respondent to serve the RCS notice on the petitioner within a period of ten days from today. The closure report shall also be filed before the concerned court, within a period of two weeks from today. Liberty is granted to the petitioner to file a protest petition before the concerned Court and workout her remedy in accordance with law.



5. This criminal original petition is disposed of in the above terms.

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Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
Neutral Citation : Yes/No
ssr

To

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.
Crime No.10 of 2017
- 3.The Inspector of Police,
CB- CID
Cuddalore District,
Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

Crl.O.P.No.20518 of 2023

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