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Crl.OP.No.25138 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.25138 of 2023

T.Chinnasamy

... Petitioner

Vs.

1. State rep by its
The Superintendent of Police,
The District Police Office,
Tiruppur District.

2. The Inspector of Police,
District Crime Branch,
Tiruppur District.
(Cr.No.8 of 2022)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the first respondent to transfer the investigation of the case in Crime No.8/2022 from the file of the second respondent to some other investigation agency to conduct a fresh investigation in Cr.No.8 of 2022 and grant further orders.

For Petitioner : Mr.P.Kalimuthu

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioner herein alleging that the investigation is not going on the proper line. The investigation is complied with in Cr.No.8 of 2022 is not conducted on proper line seeks for transfer of investigation.

2. The learned Government Advocate (Crl.Side) submits that the investigation completed and closed as mistake of fact. RCS Notice 4 /2023 dated 30.09.2023 was attempted to serve on this petitioner since he refused to receive the same, it was pasted on the doors of the petitioner's house in the presence of VAO and due acknowledgement been obtained.

3. This Court finds that the present petition for transfer of investigation is filed on 16.10.2023 whereas the RCS Notice has been pasted on the doors of the residential premises on 30.09.2023 earlier to the filing of this petition. If the petitioner is aggrieved by the closure report, he has to work out his remedy as per the law by filing protest petition and there is no scope to transfer the investigation after the investigation already completed.



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4. With the above observations, this Criminal Original Petition is disposed of.

Vv

02.11.2023

To

The Superintendent of Police,
The District Police Office,
Tiruppur District.

2. The Inspector of Police,
District Crime Branch,
Tiruppur District.

3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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