



Crl.O.P.(MD) No.2314 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.2314 of 2023

Y.Ezhil,

: Petitioner

Vs

1. The Superintendent of Police,
Kanyakumari District at Nagercoil.

2. The Deputy Superintendent Of Police,
Thuckalay Division,
Kanyakumari District.

3. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District
(Crime No.268 of 2022).

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to transfer the investigation of Crime No.268 of 2022 from the third respondent to some other independent police officer or agency to conduct fair investigation.



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For Petitioner : Mr.K.P.Narayanakumar

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

ORDER

This criminal original petition has been filed seeking a direction to transfer the investigation of Crime No.268 of 2022 from the third respondent to some other independent police officer or agency to conduct fair investigation.

2.When the matter is taken up for hearing, the learned Government Advocate(Crl.Side) would submit that the third respondent, after completing the investigation, has filed a final report as 'mistake of fact'. He would further submit that RCS notice was not served on the defacto complainant.

3.Recording the said submission, the third respondent is directed to serve RCS notice on the petitioner /defacto complainant and on receipt of the same, the petitioner is at liberty to file a protest petition before the jurisdictional Court, if so advised.



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WEB COPY 4. With the above direction, this criminal original petition is disposed of.

06.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
lr

To

1. The Superintendent of Police,
Kanyakumari District at Nagercoil.
2. The Deputy Superintendent Of Police,
Thuckalay Division,
Kanyakumari District.
3. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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