



Crl.O.P.(MD)No.4714 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.06.2023

CORAM

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.4714 of 2023

I.Xavier Arulraj

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
Crime No.47 of 2015

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the final report in C.C.No.119 of 2016, on the file of the Judicial Magistrate Court, Sathankulam and set aside the same and consequently transfer the investigation in Crime No.47 of 2015 on the file of the second respondent to CBCID or any other independent competent agency.

For Petitioner

: Mr.S.Sivakumar

For Respondents

: Mr.B.Nambiselvan
Additional Public Prosecutor



Crl.O.P.(MD)No.4714 of 2023

WEB COPY

ORDER

This petition has been filed to call for the records relating to the final report in C.C.No.119 of 2016, on the file of the Judicial Magistrate Court, Sathankulam and set aside the same and consequently transfer the investigation in Crime No.47 of 2015 on the file of the second respondent to CBCID or any other independent competent agency

2. The report has been filed by the Judicial Magistrate, Sathankulam stating that the protest petition was numbered as Crl.M.P.No.2733 of 2023 on 24.04.2023 and posted on 10.05.2023 for reply.

3. Now, the grievance of the petitioner is that the concerned learned trial Judge has informed the petitioner that she will not dispose the above said Crl.M.P.No.2733 of 2023 and proceeded with the trial. However, such sort of allegation cannot be taken into account.

4. Therefore, this Court directs the Judicial Magistrate, Sathankulam to dispose of Crl.M.P.No.2733 of 2023 within a period of one month from the date of receipt of a copy of this order. After the disposal of the Crl.M.P.No. 2733 of 2023, the trial can be taken up.



Crl.O.P.(MD)No.4714 of 2023

WEB COPY

5. With the afore said directions, this criminal original petition stands disposed of.

06.06.2023

Index : Yes/No
Internet:Yes/No

sbn

To

- 1.The Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
- 3.The Judicial Magistrate,
Sathankulam.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.4714 of 2023

G.ILANGOVAN, J.,

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