



Crl.O.P.(MD)No.14594 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **21.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.14594 of 2023

A.Anitha Kumari

... Petitioner

Vs.

1.The Superintendent of Police,
Kanniyakumari District,
Nagercoil.

2.The Deputy Superintendent of Police,
Thuckalay,
Kanniyakumari District.

3.The Inspector of Police,
Thiruvattar Police Station,
Kanniyakumari District.
Crime No.432 of 2020.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the investigation of the case in Crime No.432 of 2020 dated 23.08.2020 from the file of the third respondent to any other competent officer under the supervision of the first respondent.

For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.S.S.Madhavan
Additional Public Prosecutor



ORDER

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This Criminal Original Petition is filed seeking for transfer of investigation in Crime No.432 of 2020 registered against the accused persons by the third respondent for the offence punishable under Sections 294(b) and 505(1)(b) IPC, basing on a complaint given by the petitioner.

2. It is submitted by the learned counsel appearing for the petitioner/defacto complainant that on the basis of his complaint, the respondents Police have registered a case in Crime No.432 of 2020 on 23.08.2020 for the offence punishable under Sections 294(b) and 505(1)(b) IPC. It is submitted that though the case has been registered about three years ago, there is no substantial progress in the investigation and the charge sheet has not been filed so far.

3. The learned Government Advocate (criminal side) appearing for the official respondents, on the other hand, submits that the Police have completed the investigation and closed the complaint as mistake of fact and filed a copy of the final report which speaks that on 17.01.2023, the closure report has been filed. It is submitted that within this week, RCS notice in respect of closure report will be issued to the petitioner/defacto



complainant.

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4. Since the investigation is already completed and the final report is about to be filed, the petitioner is at liberty to take appropriate remedial measures soon after the service of RCS notice to him before the learned Magistrate.

5. With these directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

21.08.2023

To

1.The Superintendent of Police,
Kanniyakumari District,
Nagercoil.

2.The Deputy Superintendent of Police,
Thuckalay,
Kanniyakumari District.



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3.The Inspector of Police,
Thiruvattar Police Station,
Kanniyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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