



CrI.O.P.(MD) No.16663 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD)No.16663 of 2023

P.Vairamuthu

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam Sub-Division,
Virudhunagar District.

3.The Sub Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
(in Cr.No.18 of 2023)

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st Respondent to transfer the investigation in Cr.No.18 of 2023 dated 21.02.2023 on the file of the 3rd Respondent police to some other impartial Investigating Agency.



Crl.O.P.(MD) No.16663 of 2023

WEB COPY

For Petitioner :Mr.D.Rajaboopathy
For Respondents :Mr.S.S.Madhavan
Government Advocate (Criminal.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking transfer of investigation in Crime No.18 of 2023 dated 21.02.2023.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl.side) submits that the police have completed the investigation and filed the charge sheet stating that “mistake of fact”.

3.Once the investigation has already been completed as “mistake of fact”, no directions can be given in this petition to transfer the investigation. Accordingly, this Petition is disposed of. However, the petitioner is at liberty to challenge the final report, if he desires so.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

19.09.2023



Crl.O.P.(MD) No.16663 of 2023

WEB COPY

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam Sub-Division,
Virudhunagar District.
- 3.The Sub Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.16663 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.16663 of 2023

19.09.2023