



CrI.O.P.(MD) No.19044 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.19044 of 2023

M.Baskar

...Petitioner / Defacto Complainant

Vs.

1.The Deputy Superintendent of Police,
CBCID,
Kooraikundu,
Virudhunagar,
Virudhunagar District.

2.The Inspector of Police,
CBCID,
Kooraikundu,
Virudhunagar,
Virudhunagar District.

3.The Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.



Crl.O.P.(MD) No.19044 of 2023

WEB COPY

4.The Inspector of Police,
Town Police Station,
Aruppukottai,
Virudhunagar District.
(In FIR No.88/2022)

5.Karthigai Selvam

6.Dhanasekaran @ Gnana Sekaran

...Respondents / Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw the investigation of FIR No.88/2022 dated 23.04.2022, on the file of the 4th Respondent and transfer the same to the 1st Respondent or any other independent investigation agency for investigation and to file final report.

For Petitioner :Mr.R.Murugappan
For Respondent :Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

ORDER

This petition is filed seeking direction to withdraw the investigation of FIR No.88/2022 dated 23.04.2022, on the file of the 4th Respondent and transfer the same to the 1st Respondent or any other independent investigation agency for investigation and to file final report.



Crl.O.P.(MD) No.19044 of 2023

WEB COPY

2.The learned Government Advocate (Crl. Side) would submit that the fourth respondent, after completing the investigation in Crime No.88 of 2022, has laid the final report as 'Mistake of Fact' before the concerned Court on 20.06.2023. He would further submit that RCS Notice was also served on the petitioner.

3.At this juncture, the learned counsel appearing for the petitioner would submit that RCS notice was not served on the petitioner/defacto complainant either by the fourth respondent police or from the concerned Court. But signature is available in the RCS notice

4.Recording the submissions made on either sides, the fourth respondent is directed to serve RCS notice on the petitioner/defacto complainant. If the petitioner is still aggrieved over the contents of the final report, he can workout his remedy through the appropriate proceedings.



Crl.O.P.(MD) No.19044 of 2023

WEB COPY

5. In view of the above submission, nothing survives for further consideration in this petition. Accordingly, this criminal original petition is dismissed as infructuous.

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

20.10.2023

VSG



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Crl.O.P.(MD) No.19044 of 2023

To

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Virudhunagar, Virudhunagar District.

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3.The Inspector of Police,
District Crime Branch, Virudhunagar,
Virudhunagar District.

4.The Inspector of Police,
Town Police Station, Aruppukottai,
Virudhunagar District.

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



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Crl.O.P.(MD) No.19044 of 2023

G.ILANGOVA. J.

VSG

Crl.O.P.(MD)No.19044 of 2023

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