



Crl.O.P.(MD)Nos.23123 & 23129 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)Nos.23123 and 23129 of 2022

K.Deivammal ... Petitioner/defacto complainant in
Crl.O.P.(MD)No.23123 of 2022 &
Petitioner/1st accused in Crl.OP(MD)
No.23129 of 2022

Vs.

1.The Superintendent of Police,
District Police Office,
Alagarkovil Road,
Madurai.

2.The Deputy Superintendent of Police,
Usilampatti Division,
Usilampatti,
Madurai District.

3.The Inspector of Police,
Chekkanurani Police Station,
Madurai District.

... Respondents 1 to 3/Complainants
(in both petitions)

4.Gurusamy ... 4th respondent/1st accused in
Crl.O.P.(MD)No.23123 of 2022 &
4th respondent/defacto complainant
in Crl.OP(MD)No.23129 of 2022

PRAYER in Crl.O.P.(MD)No.23123 of 2022: Criminal Original
Petition filed under Section 482 of Criminal Procedure Code, to direct



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the first respondent to transfer the investigation of the case in Crime No. 430 of 2022 from the file of the third respondent to Deputy Superintendent of Police (Social Justice and Human Rights Wing) or any other officer, on the supervision of the first respondent.

PRAYER in CrI.O.P.(MD)No.23129 of 2022: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to transfer the investigation of the case in Crime No. 431 of 2022 from the file of the third respondent to Deputy Superintendent of Police (Social Justice and Human Rights Wing) or any other officer, on the supervision of the first respondent.

(in both petitions)

For Petitioner : Mr.R.Narayanan

For R1 to R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed, invoking Section 482 Cr.P.C., seeking orders to direct the first respondent to transfer the investigation of the case in Crime Nos. 430 of 2022 and 431 of 2022 from the file of the third respondent to Deputy Superintendent of Police (Social Justice and Human Rights Wing) or any other officer, on the supervision of the first respondent.



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2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 has filed the status report of the second respondent in both the cases. He would submit that the second respondent, after completing the investigation in both the cases, has filed the final reports as 'Mistake of Fact' on 05.01.2023 before the learned Judicial Magistrate No.II, Usilampatti and the same were not taken on file.

3. Recording the submission made by the learned Additional Public Prosecutor, nothing survives for further adjudication. Hence, these Criminal Original Petitions stand disposed of.

01.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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Crl.O.P.(MD)Nos.23123 & 23129 of 2022

K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
District Police Office,
Alagarkovil Road,
Madurai.
- 2.The Deputy Superintendent of Police,
Usilampatti Division,
Usilampatti,
Madurai District.
- 3.The Inspector of Police,
Chekkanurani Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)Nos.23123 and 23129 of 2022

Dated: 01.02.2023