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CrI OP No.132 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.132 of 2024

Mrs.Gayathri

...Petitioner

Vs.

1. The Superintendent of Police,
Nilgiris District,
Tamil Nadu

2. State Rep. by Inspector of Police,
B-1, Ooty Town Central Police Station,
Tamil Nadu

...Respondent /Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation pending before the 2nd respondent police in Crime No.88 of 2022 to CBI or CBCID or by appropriate authority.

For Petitioner : Mr.L.K.Charles Alexander

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed seeking for transfer of investigation pending on the file of Crime No.88 of 2022 to any other



2. Heard : Mr.L.K.Charles Alexander, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for respondent.

3. This petition was filed mainly on the ground that on an earlier occasion the very same petitioner filed a transfer petition and when it came up for hearing on 22.06.2023, it was represented before this Court that the investigation has been completed and final report was filed in CC No.13 of 2023 before the learned Judicial Magistrate, Udhagamandalam. Recording the same, the said petition was closed. However, when the petitioner verified the said fact in the concerned Court, there was no such case pending in CC No.13 of 2023. In view of the same, the present petition has been filed seeking for the very same relief.

4. When the matter came up for hearing on 05.01.2024, this Court ascertained from the learned Additional Public Prosecutor that the



case is pending before the learned Additional Mahila Court, Udhagamandalam, in CC No.13 of 2023. This Court wanted to verify this fact and hence, directed the matter to be posted for hearing today.

5. The Registry was directed to verify before the learned Additional Mahila Court, Udhagamandalam, as to whether the case is pending in CC No.13 of 2023. On verification, it is brought to the notice of this Court that the case is pending before the learned Additional Munsif Court, Udhagamandalam in CC No.13 of 2023 and not before the learned Judicial Magistrate, Udhagamandalam.

6. In the light of the above clarification, no further orders are required to be passed in this criminal original petition and accordingly, the same is disposed of.

08.01.2024

Index : Yes / No
Internet : Yes / No
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To

1. The Superintendent of Police,
Nilgiris District,
Tamil Nadu
2. State Rep. by Inspector of Police,
B-1, Ooty Town Central Police Station,
Tamil Nadu
3. The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH, J.,

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