



Crl.O.P.(MD)No.12849 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.12849 of 2024

Meenakshi

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
All Women Police Station,
Thanjavur,
Thanjavur District.
(Crime No.2 of 2024)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to withdraw and transfer the investigation in Crime No.2 of 2024 on the file of the second respondent and entrust the same to the some other officer to complete the investigation and file the final report before the concerned Court within the time stipulated by this Court.

For Petitioner : Mr.S.Poornachandran

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.12849 of 2024

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ORDER

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the first respondent to withdraw and transfer the investigation in Crime No.2 of 2024 on the file of the second respondent and entrust the same to some other officer to complete the investigation and file the final report before the concerned Court within the time stipulated by this Court.

2. It is seen from the records that on the basis of the complaint lodged by the petitioner, FIR came to be registered in Crime No.2 of 2024 on 15.03.2024 for the alleged offences under Sections 494, 120B, 294(b), 420, 498(A) and 506(1) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002.

3. The learned counsel appearing for the petitioner would submit that the second respondent, in support of the accused without enquiring the petitioner, has allegedly closed the case.



Crl.O.P.(MD)No.12849 of 2024

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4. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that charge sheet has been made ready and the same was referred as 'Mistake of Fact' and that RCS notice was served on the petitioner on 05.08.2024. But the learned counsel appearing for the petitioner would submit that RCS notice was not at all served on the petitioner till now.

5. Considering the above, the second respondent is directed to serve RCS notice on the petitioner and to file the final closure report before the jurisdictional Magistrate Court and the petitioner is at liberty to file the protest petition before the jurisdictional Court thereafter.

6. With the above direction, the Criminal Original Petition stands disposed of.

07.08.2024

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



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Crl.O.P.(MD)No.12849 of 2024

K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
All Women Police Station,
Thanjavur,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.12849 of 2024

Dated: 07.08.2024