



Crl.O.P.(MD)No.15937 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15937 of 2024

K.Chandraboss

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai.

2.State through
The Inspector of Police,
Perungudi Police Station,
Madurai District.
(Crime No.88 of 2019)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation in Crime No.88 of 2019 dated 26.04.2019 on the file of the second respondent to some other competent police officials and conduct fair and impartial investigation based on the representation dated 16.08.2024 in accordance with law.

For Petitioner : M/s.P.Devishree Nachiyar

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



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to transfer the investigation in Crime No.88 of 2019 dated 26.04.2019 on the file of the second respondent to some other competent police officials and conduct fair and impartial investigation based on the representation dated 16.08.2024 in accordance with law.

2. It is not in dispute that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.88 of 2019 on 26.04.2019 for the alleged offence under Section 392 IPC against unknown person.

3. The learned counsel appearing for the petitioner would submit that though FIR came to be registered in 2019, the respondent police has neither secured the accused nor proceeded with the investigation.

4. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that they were not able to trace out the



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accused and hence, final report was made ready as Un-Detected and that RCS notice also served on the petitioner/defacto complainant.

5. The learned counsel appearing for the petitioner would submit that no such RCS notice was served on the petitioner.

6. Considering the above, the second respondent is directed to serve RCS notice on the petitioner and file final report before the jurisdictional Court within a period of one week from the date of receipt of a copy of this order.

7. With the above direction, this Criminal Original Petition stands disposed of. The petitioner is at liberty to file a protest petition before the concerned Court, if so advised.

23.09.2024

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

To
1. The Superintendent of Police,
Madurai District, Madurai.



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K.MURALI SHANKAR,J.

csn

- 2.The Inspector of Police,
Perungudi Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.15937 of 2024

Dated: 23.09.2024