



Crl.O.P.(MD)No.18603 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18603 of 2024

Mary Benancy

... Petitioner

Vs.

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

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(Crime No.741 of 2024)

3.The Deputy Superintendent of Police,
CBCID,
Maharaja Nagar,
Tirunelveli-627007.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation from the second respondent to the third respondent for conducting proper investigation and filing of final report for FIR No.741 of 2024 on the file of the second respondent herein based on the complaint dated 16.09.2024, within the period stipulated by this Court.



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For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to transfer the investigation from the second respondent to the third respondent for conducting proper investigation and filing of final report for FIR No.741 of 2024 on the file of the second respondent based on the complaint dated 16.09.2024, within the period stipulated by this Court.

2. It is seen from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.741 of 2024 on 10.09.2024 for the alleged offences under Sections 296(b), 115(2) and 351(2) BNS and Section 4 of TN Prohibition of Harassment of Women Act, 2002.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would



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submit that the second respondent, after completing the investigation, has already filed the negative final report but he would fairly admit that RCS notice was not served on the petitioner.

4. Recording the same, the second respondent is directed to serve RCS notice on the petitioner/defacto complainant immediately and to file final report before the jurisdictional Court, if not filed earlier.

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

28.10.2024

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

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

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.



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K.MURALI SHANKAR,J.

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

Order made in
Crl.O.P.(MD)No.18603 of 2024

Dated: 28.10.2024