



Crl.O.P(MD)No.3733 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.3733 of 2024

Muthusamy

... Petitioner

Vs

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

2. The Inspector of Police,
Suchindram Police Station,
Kanyakumari District. Cr.No.430/2021.

3. The Sub Inspector of Police,
Suchindam Police Station,
Kanyakumari District.

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the R1 Superintendent of police to transfer the investigation in Crime No.430/2021 on the file of the suchindram Police Station Kanyakumari District to the CBCID, Kanyakumari District and to reinvestigate and file a Final Report within the time frame fixed by this Court.

For Petitioner : Mr.T.Cibichakraborty

For Respondents: Mr.M.Sakthi Kumar (R1-3)
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation in Crime No.430/2021 on the file of the suchindram Police Station Kanyakumari District to the CBCID, Kanyakumari District and to reinvestigate and file a Final Report within the time frame fixed by this Court.

2. When the matter is taken up for hearing the learned Government Advocate (Crl.Side) appearing for the respondent police would submit that in this case, already investigation has been completed and final report also filed before the concerned Court as 'mistake of fact'. In this case, RCS notice also served to the petitioner. Therefore, transfer of investigation does not arise at this stage.

3. Considering the prayer sought for by the petitioner and the investigation has been completed by the respondent police and final report also filed before the concerned Court, transfer of investigation does not arise at this stage.



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4. Accordingly, this petition stands closed. However, the

petitioner is at liberty to challenge the final report in the manner known to law, if he is aggrieved.

01.04.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
PNM

To

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

2. The Inspector of Police,
Suchindram Police Station,
Kanyakumari District. Cr.No.430/2021.

3. The Sub Inspector of Police,
Suchindam Police Station,
Kanyakumari District.

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



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P. DHANABAL, J.

PNM

ORDER IN
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