

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29543 of 2015

Arun Kumar

... Petitioner

Vs

1.The State rep. by
The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent police to transfer the investigation in Crime No.329 of 2015 pending on the file of the second respondent police to the Inspector of Police, Pochampalli Police Station, Krishnagiri District.

For Petitioner: Mr.E.Kannadasan

For respondents: Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

The present criminal original petition has been filed by the petitioner seeking a direction to the first respondent to transfer the investigation in Crime No.329 of 2015 pending on the file of the second respondent to the file of the Inspector of Police, Pochampalli Police Station, Krishnagiri District.

2. It is the case of the petitioner that on 8.8.2015, when he returned to his house along with his brother and cousin brother, one Dhanalakshmi along with 12 others beat the petitioner and his brother and cousin brother with stick and pushed them on the floor, due to which, they sustained injuries. Further, the said accused persons threatened them with dire consequences. On 9.8.2015, while the petitioner was in the Kaveripattinam Government Hospital as in-patient, on receipt of

information, the respondent police came there and recorded a statement from him and on the basis of the said statement, the respondent police registered a case in Crime No.329 of 2015 for the offence under Sections 147, 341, 294(b) and 323 I.P.C. Thereafter, the petitioner approached the respondent police and enquired about the action taken on his complaint. On seeing the FIR copy, he found that in the FIR, the real accused persons and their overt act and the weapons used by them have been suppressed. Hence, the petitioner approached the first respondent by submitting a representation and requesting him to give suitable direction to the second respondent in this regard. However, no action was taken by the first respondent. Hence, the petitioner has come up with the present petition seeking a direction to the first respondent to transfer the investigation in Crime No.329 of 2015 pending on the file of the second respondent to the Inspector of Police, Pochampalli Police Station, Krishnagiri District.

3. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that based on the complaint given by the counter petitioners, a case was registered in Crime No.328 of 2015 and the petitioner herein is an accused in the said case. Further, he has submitted that during the course of investigation, if the second respondent police comes to the conclusion that some of the persons referred to by the petitioner are involved in the offence, their name would be included in the final report and further, during the course of investigation, if the commission of any other offence is made out, the same would be included in the final report. Therefore, there is no need for transfer of the case.

4. Recording the said submission made by the learned Additional Public Prosecutor, the criminal original petition is disposed of. However, the second respondent is directed to expedite the investigation in Crime Nos.328 and 329 of 2015 pending on his file and complete the same at the earliest.

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sbi

To

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

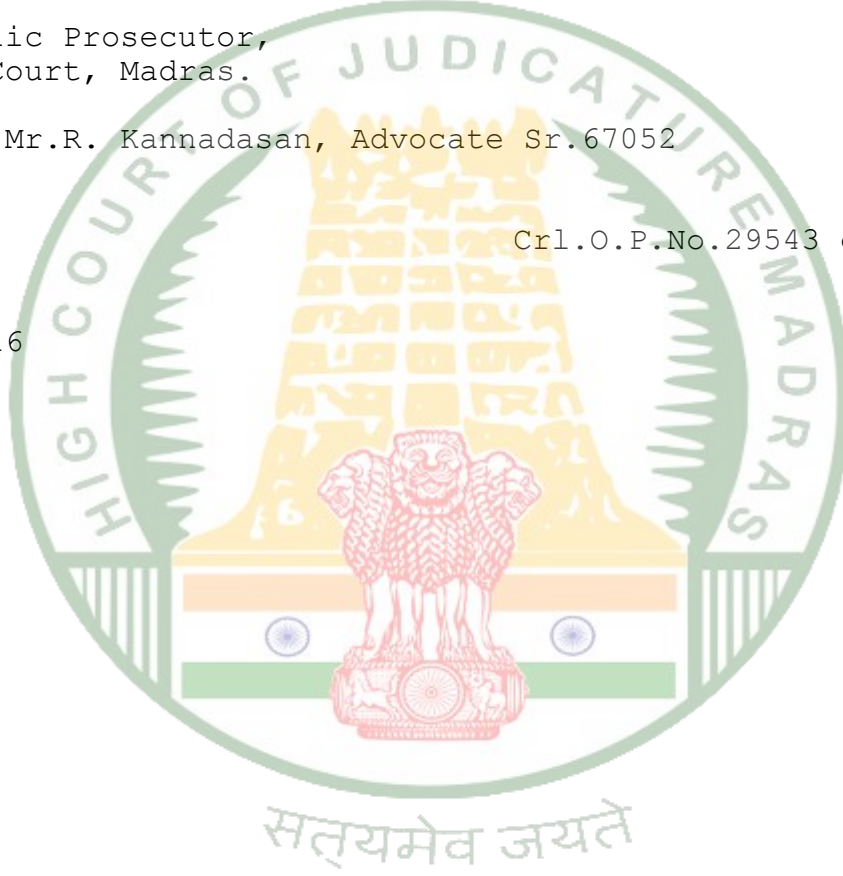
2.The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R. Kannadasan, Advocate Sr.67052

Crl.O.P.No.29543 of 2015

SKV(CO)
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