

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30348 of 2015

Saminathan

... Petitioner

Vs

1. The Sub Inspector of police,
G6, Kariyalur Police Station,
Sankarapuram Taluk,
Villupuram District.

2. The Inspector of Police,
Kachirayapalayam Police Station,
Chinna salem Taluk,
Villupuram District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to transfer the investigation of the case in Crime No.51 of 2015 pending with them to some other investigating agency preferably CB-CID, Villupuram, and to file a final report within a stipulated period.

For Petitioner : Mr.R.Prabudoss

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

ORDER

This petition has been filed to direct the 1st respondent to transfer the investigation of the case in Crime No.51 of 2015 pending with them to some other investigating agency preferably CB-CID, Villupuram, and to file a final report within a stipulated period.

2. It is stated in the petition that the petitioner belongs to Schedule Tribe community. On 13.05.2015 at about 9.00 a.m., the petitioner and his son were in the sugarcane field and putting manure. At that time, one Kuppusamy S/o Solai, Selvam S/o Muthu, Kuppusamy Son of Thoppuli (husband of the Village Panchayat President), Gandhi, son of Thoppuli, Chinnathambi assaulted the petitioner and pulled him on the floor and bound

him in a post and he was beaten severely by mentioning his caste name. Hence, the petitioner had lodged a complaint with the respondent police. But the said complaint was registered only for the offences under sections 294-B, 323, 342 and 384 IPC, though the allegation made in the complaint attracts the offences under sections SC/ST Act. It is further stated that though 8 persons are involved, the complaint was registered only against four persons. Thus, the petitioner has sought for transfer of investigation.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Learned Additional Public Prosecutor submitted that the allegation in the complaint itself is against four persons. He further submitted that during the course of investigation, if the respondent police comes to the conclusion that there is involvement of the other persons also and other offences is also attracted, the same will be included and accordingly, the final report will be filed.

5. In view of the submissions made by the learned Additional Public Prosecutor, there is no need to give any specific direction. Hence, recording the submissions made by the learned Additional Public Prosecutor, the criminal original petition is closed.

vsi

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Sub Inspector of police,
G6, Kariyalur Police Station,
Sankarapuram Taluk, Villupuram District.

2. The Inspector of Police,
Kachirayapalayam Police Station,
Chinna salem Taluk,
Villupuram District..

3. The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.R.Prabudoss, Advocate SR 88

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