

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2015

CORAM

THE HON'BLE MR. JUSTICE R.S.RAMANATHAN

Crl.O.P.No.5640 of 2015

Rasu @ Marimuthu

... Petitioner/Accused

vs.

1. The Superintendent of Police,
Coimbatore Rural,
Coimbatore.

2. The Deputy Superintendent of Police,
Pollachi Sub Division,
Pollachi.

3. The Inspector of Police,
Negamam Police Station,
Coimbatore.

... Respondents/Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to transfer the investigation of the case registered in Cr.No.42 of 2015 from the file of 3rd respondent to any other investigation officer.

For Petitioner : Mr.L.Mouli

For Respondents : Mr.M.Maharaja
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This petition has been filed by the accused in Crime No.42 of 2015 on the file of 3rd respondent, seeking transfer of investigation.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner got injured and he was discharged on 26.02.2015 after taking treatment in the hospital nearly 8 days. However, instead of registering the complaint as against the accused, the respondent police registered the case in Crime No.42 of 2015, against the petitioner. Therefore, the said case has to be transferred to some other agency.

3. According to the learned Additional Public Prosecutor, on the basis of complaint given by one Sivalingam, a case has been registered against the petitioner in Crime No.42 of 2015. If really the petitioner was the victim, he could have given complaint against the assailants. When the case which has been registered on the basis of complaint given by the said Sivalingam is under investigation, it is not open to the petitioner to seek transfer of the case to some other investigating officer and if the same is ordered, then there would not be any fair investigation. Further, the said case was registered only on 19.02.2015. Hence, I do not find any merits in this petition.

4. In the result, this criminal original petition is dismissed.

rrg

s/d-
Assistant Registrar(CS-III)
Dt:30/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Coimbatore Rural,
Coimbatore.
2. The Deputy Superintendent of Police,
Pollachi Sub Division,
Pollachi.
3. The Inspector of Police,
Negamam Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.L.Mouli, Advocate sR 16220

sr(co)
prk31/3

Cr1.O.P.No.5640 of 2015