



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.14725 of 2015

T.Parimanam

... Petitioner

Vs.

State rep. by

1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Jeeyepuram Police Station,
Trichy District
(Crime No.265 of 2015)

3.The Inspector of Police,
Crime Branch Criminal Investigation Department,
CBCID, Trichy District.

..Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C to issue a direction to the first respondent herein to withdraw and transfer the investigation in connection with Crime NO.265 of 2015 from the file of the second respondent police to any other competent investigating agency more particularly Inspector of Police CBCID and altering the FIR by incorporating relevant Sections and pass such other orders as this Court may deem fit and proper in the circumstances of the case.

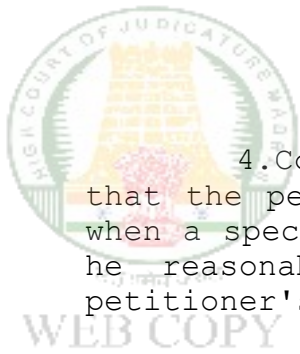
For Petitioner	: Mr.B.Jameel ARasu
For Respondents	: Mr.K.Anbarasan, Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed under Section 482 of Cr.P.C seeking a direction to the first respondent herein to withdraw and transfer the investigation in connection with Crime NO.265 of 2015 from the file of the second respondent police to any other competent investigating agency more particularly, Inspector of Police CBCID and altering the FIR by incorporating relevant Sections.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.side) appearing for the State.

3.This petition has been filed primarily contending that the statement not given by the petitioner has been recorded and though the petitioner has been hospitalized with severe injuries, a case has been registered for the minor offences. The learned counsel for the petitioner submitted that despite the fact that the petitioner made a representation dated 03.07.2015 to the respondent, no further action has been taken.



4. Considering the nature of allegations, this Court is of the view that the petitioner/defacto complainant is entitled to seek for transfer when a specific allegation that the wrong statement has been recorded and he reasonably apprehended that justice would not be rendered. The petitioner's detailed representation also indicates the stand taken.

5. Considering the same, a direction is issued to the respondent No.1 to transfer the investigation if the case in Crime No.265 of 2015 pending on the file of the respondent No.2 to any other competent investigating agency within his jurisdiction. The respondent No.1 is directed to monitor and supervise the investigation.

6. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police, Trichy District.
2. The Inspector of Police, Jeeyepuram Police Station, Trichy District
3. The Inspector of Police,
Crime Branch Criminal Investigation Department,
CBCID, Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.B.Jameel Arasu, Advocate SR.No.43692

Cr1.O.P(MD).No.14725 of 2015
31.07.2015

ses

NS/18.08.2015 : 2p/6c