



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CRL.O.P. (MD) .Nos.17647 and 17554 of 2015

M.Alagesan : Petitioner in both petitions

Vs.

1.The State represented by
The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
South Police Station,
Thoothukudi District.
(Crime No.488 of 2015) and
(Crim No. 94 of 2014)

3.The Inspector of Police,
CBCID Wing,
Thoothukudi District.

: Respondents in both petitions

PRAYER: Petitions are filed under Section 482 of the Criminal Procedure Code praying to transfer the investigation in Crime Nos.488 of 2015 and 94 of 2014 from the file of the 2nd respondent to the file of the third respondent.

For Petitioner in
both petitions : Mr.R.Anand

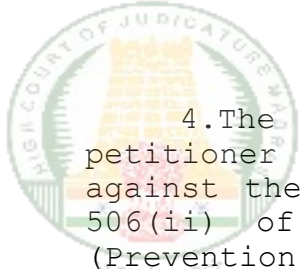
For Respondents in
both petitions : Mr.P.Kannithevan
Government Advocate(Crl.side)

O R D E R

The petitioners have come forward with these applications seeking a direction to transfer the investigation in Crime Nos.488 of 2015 and 94 of 2014 from the file of the second respondent to the file of the third respondent.

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

3.During the argument, the learned counsel for the petitioner restricted his prayer and he wants only the superior officer to supervise the investigation done by the Second respondent.



4.The learned counsel for the petitioner submitted that the petitioner herein is the de-facto complainant and he gave a complaint against the petitioner for offences under Sections 147, 448, 294(b) and 506(ii) of I.P.C and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act 1992. He would further submit that the accused are advocates and hence, the second respondent herein has not investigated the matter in a proper manner and hence, he wants the Deputy Superintendent of Police to supervise the investigation.

5.Considering the rival submissions made on either side, this Court is of the view that it is a fit case for giving a direction to the Superintendent of Police to depute any one of the Deputy Superintendent of Police to supervise the investigation done by the second respondent herein and the second respondent is also directed to file a final report as expeditiously as possible.

With the above direction, the criminal original petitions are disposed of.

Sd/-
Assistant Registrar(Co)

/True Copy/

Sub Assistant Registrar.

To

- 1.The State represented by
The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
South Police Station,
Thoothukudi District.
- 3.The Inspector of Police,
CBCID Wing,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AM/26.10.2015/SK.SKN/2P/5C