



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fifteenth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) No.2230 of 2016
IN
CRL OP(MD) No.3760 of 2014

1 THE SUPERINTENDENT OF POLICE
THOOTHUKUDI DISTRICT,
THOOTHUKUDI.

2 THE SUPERINTENDENT OF POLICE
TIRUNELVELI DISTRICT,
TIRUNELVELI.

3 THE SUPERINTENDENT OF POLICE
CBCID, NO. 3, SIDCO ELECTRONIC COMPLEX,
1ST FLOOR, GUINDY, CHENNAI - 32

4 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO. 344/2013

... PETITIONERS/RESPONDENTS

Vs

P. KALARANI
W/O. PETCHIMUTHU,

... RESPONDENT/PETITIONER

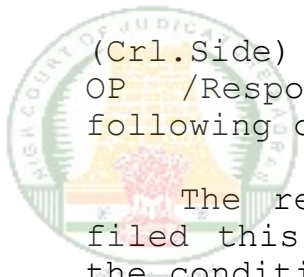
PRAYER IN CRL MP(MD)NO.2230/2016 :

Criminal Miscellaneous Petition filed under section 482 of Cr.P.C. praying, to accept the affidavit filed by the 1st petitioner / respondent and modify the order passed in Crl.O.P.3760 / 2014, Dated 11.01.2016 and permit the 1st petitioner / respondent herein to appoint one responsible officer who is not below the rank of Additional Superintendent of Police as investigation officer in this case.

PRAYER IN CRL OP(MD)NO.3760/2014 :

Criminal Original Petition filed under section 482 Cr.P.C. Praying To direct the 1st respondent to transfer the investigation of the case registered in CrimeNo.344 of 2013 of Kayathar Police Station to an independent investigation agency like CBCID, the 3rd respondent for an impartial investigation.

<https://hcservices.ecourts.gov.in/hcservices/> Criminal Miscellaneous petition coming on for hearing on this day upon perusing the petition filed in support thereof and upon hearing the arguments of MRS.S.PRABHA Government Advocate



(Crl.Side) MR.A.JOHN VINCENT Advocate for the petitioner in main OP /Respondent in Crl.MP(MD)No.2230/2016,the court made the following order:-

The respondent Police, in Crl.O.P.(MD) No.3760 of 2014, have filed this criminal miscellaneous petition seeking modification of the condition imposed by this Court, vide Order dated 11.01.2016, in Crl.O.P.(MD) No.3760 of 2014.

2. Heard Mrs.S.Prabha, learned Government Advocate (Criminal Side) appearing for the petitioner Police and Mr.John Vincent, learned counsel appearing for the respondent herein.

3. This Court, on 11.01.2016, has passed the following Order:

"6.In the result, the Criminal Original Petition is allowed and the case in Crime No.344 of 2013 on the file of Kayathar Police Station, Thoothukudi District is transferred to the file of the Superintendent of Police, Thoothukudi District. The Superintendent of Police is directed to conduct a fair and free investigation and file the final report, as expeditiously as possible."

4. The Superintendent of Police, Thoothukudi District, has stated in the accompanying affidavit that on account of the ensuing election of Tamil Nadu State Assembly, he has been assigned election duties and therefore he may not be able to conduct investigation in Crime No.344 of 2013 as directed by this Court.

5. Accepting the submission of the Superintendent of Police, Thoothukudi District, the Order, dated 11.01.2016, passed in Crl.O.P.(MD) No.3760 of 2014, by this Court, is modified to the effect that the case, in Crime No.344 of 2013, on the file of the Inspector of Police, Kayathar Police Station, Thoothukudi District, is transferred to the file of the Additional Superintendent of Police, Thoothukudi District, who in turn is directed to conduct a fair and free investigation and file the final report as expeditiously as possible.

6. With the above directions, this criminal miscellaneous petition is disposed of.

sd/-
15/03/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE SUPERINTENDENT OF POLICE
THOOTHUKUDI DISTRICT,
THOOTHUKUDI.

2 THE SUPERINTENDENT OF POLICE
TIRUNELVELI DISTRICT,
TIRUNELVELI.

3 THE SUPERINTENDENT OF POLICE
CBCID, NO. 3, SIDCO ELECTRONIC COMPLEX,
1ST FLOOR, GUINDY, CHENNAI - 32

4 THE ADDITIONAL SUPERINTENDENT OF POLICE,
THOOTHUKUDI DISTRICT.

5 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1CC to Mr.A.John Vincent Advocate Sr.No.14575

GJM./NGM/SS/SAR-I-29.3.16-3P-8C

ORDER DATE : 15.03.2016
ORDER
IN
CRL MP (MD) No.2230 of 2016
IN
CRL OP (MD) No.3760 of 2014

Giving Directions etc., as
stated within.