



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.19097 of 2016

Suresh

.. Petitioner

Vs.

1.The State rep. by
The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Rayappanpatti Police Station,
Theni District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the 2nd respondent to withdraw the investigation in connection with the case in Crime No.274 of 2016 on the file of the Inspector of Police, Rayappanpatti Police Station, Theni District and transfer the same to any other competent agency or any other investigation officer under the 1st respondent police or any other investigation officer of the some other District forthwith.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.K.Anbarasan

Government Advocate (Criminal side)

ORDER

This petition is filed seeking for transfer of investigation in Crime No.274 of 2016 from the file of the 2nd respondent to any other competent authority.

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

3.Mr.B.Jeyakumar, learned counsel for the petitioner would submit that when the petitioner has made specific allegations against his wife and in-laws, who have brutally attacked the petitioner, the second respondent chosen to file a case against only some of the accused to felicitate the petitioner's wife to escape from the clutches of law. It is further submitted that unless the investigation is transferred, the petitioner cannot get justice in this case.



4. Per contra, the learned Government Advocate (Crl. Side) would submit that the second respondent has already completed the investigation and also filed the final report in Crime No.274 of 2016 before the concerned Court.

5. Considering the rival submissions, this petition is disposed of giving liberty to the petitioner to work out his remedy in the manner known to law.

Sd/
Assistant Registrar (C.S.-I)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Superintendent of Police, Theni District, Theni.

2. The Inspector of Police, Rayappanpatti Police Station,
Theni District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.B.Jeyakumar, Advocate in SR.No.61768.

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