



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.12.2016
CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

WEB COPY

Cr1.O.P.(MD) No.3534 of 2016

R.Kannuchamy

... Petitioner

-Vs-

1. The Superintendent of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
Sindhupatti Police Station,
Sindhupatti,
Madurai District,
(Cr.No. 249/2015)

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to withdraw the investigation pending on the file of the 2nd respondent in Crime No.249 of 2015 and to entrust the same for investigation to any other competent officer under the control of the 1st respondent.

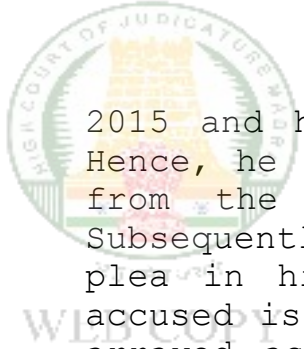
For Petitioner : Mr.Ezhillarasan
for A.Rahul

For Respondent : Mr.K.Anbarasan
Government Advocate
(Cr1. side)

O R D E R

This petition has been filed to direct the 1st respondent to withdraw the investigation pending on the file of the 2nd respondent in Crime No.249 of 2015 and to entrust the same for investigation to any other competent officer under the control of the first respondent.

2. When the matter is taken up for hearing, the learned counsel for the petitioner represented that this Court has ordered to register a case and secure the accused, if any cognizable offence is made out, on the petitioner's complaint, by order dated 19.04.2016, in Cr1.O.P(MD).No.19608 of 2015. Subsequently, the Investigation Officer has registered a case in Crime No.249 of



2015 and has not taken any steps to secure the accused so far. Hence, he filed the present petition for transfer of investigation from the second respondent to any other competent officer. Subsequently, he withdrew the above argument and put forth another plea in his typeset of papers in paragraph No.3 that the main accused is one Bavanibabu, who deputed one Madurai Veeran, who is arrayed as sole accused in Crime No. 249 of 2015 for collecting money from the petitioner. But the said Bavanibabu was not implicated in the FIR and the second respondent has not examined any of the witnesses including the petitioner himself and no steps were taken to apprehend the accused and to recover the money.

3.Hence, the argument of the learned counsel for the petitioner is contrary to the fact in the typeset produced on the side of the petitioner himself. In view of the fact that the petitioner is not clear in his stand, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(WRITS)

/TURE COPY/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Sindhupatti Police Station,
Sindhupatti,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.A.Rahul, ADVOCATE, SR NO:80388

pjl

AAM JM SAR2 03.02.2017 2P 5C

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