

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.22107 & 23886 of 2017

1. Poovendiran
2. Thirumoorthy
3. Madankumar
4. Ganesan

... Petitioners in both Crl.OPs.

Vs.

State rep.by

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Tirupur District,
Tirupur.

...1st Respondent in both Crl.OPs.

2. The Inspector of Police,
Uthukuli Police Station,
Uthukuli District.

...2nd Respondent in Crl.OP.

...R2 in 23886/17

PRAYER: Crl.OP.22107 of 2017:Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to register a case on the petitioner's complaint dated 04.10.2017.

Crl.OP.23886 of 2017: to direct the 1st respondent to transfer the investigation on complainant of the petitioners dt.4.10.17,pending on the file of 2nd respondent to some other agency.

For Petitioners

in both Crl.OP. : Mr.K.Balasubramaniam

For Respondent

in both Crl.OP. : Mr.C.Iyyappa Raj

ORDER

This petition is filed to direct the respondent to register a case on the petitioner's complaint dated 04.10.2017.

2. The learned counsel for the petitioner submitted that the averments made in the complaint implicates the Inspector of Police, Uthukuli as an accused. Hence, it would not be proper for the Inspector of Police, Uthukuli Police Station, Uthukuli, Tirupur District to conduct the investigation based on the petitioner's complaint dated 04.10.2017.

3. The learned Additional Public Prosecutor now on instructions submits that the investigation has already been handed over to the Superior Officer.

4. In this background, there shall be a direction to the Superintendent of Police, Tiruppur District to transfer the investigation on the petitioner's complaint dated 04.10.2017 to any other official not less than the rank of Deputy Superintendent of Police and complete the investigation as expeditiously as possible. Such an investigation shall be monitored by the Superintendent of Police, Tirupur district. Appointment of fresh investigating officer shall be done within one week from the date of receipt of a copy of this order. With the above observations this petition is disposed of.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

dpq
To

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Tirupur District,
Tirupur.

2. The Inspector of Police,
Uthukuli Police Station,
Uthukuli, Tirupur District.

3.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.K. Balasubramaniam, Advocate R.79208, 79209

Cr1.O.P.No.22107 & 23886 of 2017

RSY(CO)
EU(05/12/2017)