



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.10112 of 2017

B.Dhanapalsingh

...Petitioner/Defacto complainant

-Vs-

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

2.The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti, Thoothukudi District.
(Crime No.36 of 2017)

...Respondents/ Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the 1st respondent to transfer the investigation in Crime No.36 of 2017, pending on the file of the 2nd respondent herein registered, dated 13.01.2017, for offences punishable under Sections 147, 148, 294(b), 323, 307 and 506(ii) of IPC., to some other investigating officer of the jurisdiction of the 1st respondent and to ensure fair and free manner of investigation under the supervision of the 1st respondent.

For Petitioner

: Mr.C.Bharathi

For Respondents

: Mr.K.Anbarasan

Government Advocate (Crl.Side)

O R D E R

This Criminal Original petition is filed to direct the 1st respondent to transfer the investigation in Crime No.36 of 2017, pending on the file of the 2nd respondent herein registered, dated 13.01.2017 for offences punishable under Sections 147, 148, 294(b), 323, 307 and 506(i) of IPC., to some other investigating officer of the jurisdiction of the 1st respondent and to ensure fair and free manner of investigation under the supervision of the 1st respondent.

2. Heard Mr.C.Bharathi, learned counsel appearing for the petitioner and Mr.K.Anbarasan, learned Government Advocate (Criminal side) appearing for the respondents.

<https://hcservices.ecourt.gov.in/hcservices/> The petitioner has given a complaint against an advocate and others and the case was registered in Crime No.36 of 2017 for the offences punishable under Sections 147, 148, 294(b), 323, 307



and 506(ii) of IPC. The grievance of the petitioner is that the second respondent is likely to delete the name of the main accused from the complaint and proper investigation was not conducted in this case.

4. The learned Government Advocate (Crl.Side) on instructions, would submit that the investigation is already over and the final report will be filed within one week.

5. The statement of the learned Government Advocate (Crl.Side) is recorded. It is too early to predict or to consider the contentions of the petitioner. The petitioner is not produced any material as to any malafide or motive for the second respondent to desist the investigation against any individual. Hence, considering the nature of this case, this Court is not in a position to find any reasonable or appreciable ground to transfer the investigation in Crime No.36 of 2017, from the file of the second respondent to any other investigating officer.

6. In the result, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti, Thoothukudi District.

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

+1cc to M/s.C.BHARATHI Advocate in SR. No.70507

DAS/PJL

JS/GT/SAR.2/10.08.2017/2P-5C

CRL.O.P. (MD) No.10112 of 2017
02.08.2017