



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD) No.16254 of 2017

Ashok Kumar : Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

3.The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.

4.The Sub Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.

: Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.220 of 2017 pending on the file of the third respondent to some other investigating officer appointed by the first respondent.

For Petitioner : Mr.S.Pasumalai

For Respondents : Mr.K.S.Durai Pandian
Additional Public Prosecutor

ORDER

The Criminal Original Petition is filed to transfer the investigation in Crime No.220 of 2017 pending on the file of the third respondent to some other investigating officer appointed by the first respondent.

2.It appears that the petitioner is the de-facto complainant in Crime No.220 of 2017. The petitioner stated that based on the instructions given by the Investigation Officer to the Public Prosecutor stating that the injured is discharged from the hospital, the proposed accused in the criminal case was granted Anticipatory Bail. It is also admitted that the injured was not discharged at that time and that therefore the Anticipatory Bail petition was



considered and granted only on the statement of the Investigation Officer.

3. Factually, the submission is demonstrated to be false. It is seen from the records that a false information was furnished by the Head Constable to the third respondent and that the third respondent gave instruction to the Public Prosecutor and the wrong information furnished to the Court originally was clarified. In such circumstances, the only ground raised by the petitioner for transferring the investigation from third respondent to other Investigation Officer has no merit. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
4. The Sub Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to M/s.A.Arputharaj, Advocate, SR.No.89460

cmr

RL/7C/2P/RSK/SAR1/11/12/2017

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