



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.2020 of 2017

and

Crl.M.P. (MD) No.1598 of 2017

P. Kottayan

: Petitioner/Petitioner

-Vs-

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

2. The Deputy Superintendent of Police,
CBCID, Sivagangai,
Sivagangai District.

3. The Inspector of Police,
Sivagangai Town Station,
Sivagangai District.

(Cr.No.71 of 2017)

: Respondents/Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to issue a direction to the respondent No.1 to withdraw the case in Crime No.71 of 2017 under Sections 392, 397 & 506(1) IPC on the file of respondent No.3 dated 02.02.2017 and entrust the same to the respondent No.2 for an investigation of the case by a competent officer and file a final report before the Jurisdictional Magistrate within the time stipulated as fixed by this Court.

(Prayer is amended as per order of this Court dated 27.03.2017 in Crl.M.P. (MD) No.2506 of 2017)

For Petitioner : Mr.T.Lajapathiroy

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl.side)

O R D E R

On the complaint given by the petitioner, the Inspector of Police, Sivagangai Town Station/third respondent has registered a case in Cr.No.71 of 2017 on 02.02.2017 for the offences under Sections 392, 397 & 506(1) IPC against one Senthilikumar and two



others. Not being satisfied with the investigation that has been conducted by the third respondent, the petitioner is before this Court for transfer of investigation.

2. Taking into consideration the nature of allegations made in the F.I.R. and the facts and circumstances of the case, this Court is of the view that this is not a fit case to transfer the case in Cr.No.71 of 2017. However, this Court directs the Deputy Superintendent of Police, Sivagangai District to monitor the investigation in Cr.No.71 of 2017, on the file of the Inspector of Police, Sivagangai Town Police Station and take action in accordance with law.

3. With the above directions, this Criminal Original Petition is ordered accordingly. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Sivagangai District.
2. The Deputy Superintendent of Police,
CBCID, Sivagangai,
Sivagangai District.
3. The Inspector of Police,
Sivagangai Town Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 19263

SSL/PSD
TE/JC/SAR-IV : 27/04/2017 : 2P/6C