



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:10.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.8620 of 2017

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Kanagarathinam

... Petitioner

-Vs-

1. The Superintendent of Police,
Trichy District, Trichy.
2. The Inspector of Police,
Thuraiyur Police Station,
Trichy District. (In Crime No.306 of 2017)
3. The Inspector of Police,
CBCID, Madurai Unit,
Madurai.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to withdraw and transfer the investigation in Crime No.306 of 2017 on the file of the second respondent to third respondent.

For Petitioner	: Mr.S.Gokul Raj
For Respondents	: Mr.K.Anbarasan, Government Advocate(Crl.Side)

O R D E R

This Criminal Original petition is filed to withdraw and transfer the investigation in Crime No.306 of 2017 on the file of the second respondent to third respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents.

3. The petitioner is a Bachelor. Due to some problems between the petitioner and his mother, the petitioner stated that on 16.06.2017, his mother and his relative, namely, one Chinnasamy quarreled with the petitioner and that on the same day, the petitioner's mother/first accused, at the instance of the said Chinnasamy/second accused, poured "Hot Rasam" in the face and chest of the petitioner. As a result, the petitioner suffered grievous injuries all over the body, more particularly, on the



face, eye and chest, the case was registered under Section 324 of I.P.C., in Crime No.306 of 2017. Since the case was registered under Section 324 of I.P.C., the petitioner stated that the investigation will not be conducted in a fair manner by the second respondent.

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4. It is admitted that the case was registered under Section 324 of I.P.C. Merely because, the First Information Report was registered under Section 324 of I.P.C., it is not a cause for transferring the investigation, unless the petitioner alleged any *mala fide* or motive as against the investigation officer. In the present case, after investigation if it is required, the respondents would alter the case according to the facts revealed, pursuant to the investigation.

5. In these circumstances of the case, this Court is not inclined to entertain this petition for transferring the investigation. Hence, the Criminal Original petition is dismissed.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Trichy District, Trichy.
2. The Inspector of Police, Thuraiyur Police Station, Trichy District.
3. The Inspector of Police, CBCID, Madurai Unit, Madurai.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

PMU

PSM/KP/SAR2/18.07.2017/2P/5C

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