



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Cr1.O.P.[MD].No.19152 of 2018

WEB COPY

Amsavalli : Petitioner/Defacto Complainant
Vs.

1.The Director General of Police,
Chennai.

2.The Deputy Inspector of Police,
Trichy Region,
Trichy.

3.The Superintendent of Police,
Karur District,
Karur.

4.The Inspector of Police,
Palaviduthi Police Station,
Karur District,
In Crime No.127 of 2018.

5.The Inspector of Police,
CBCID, Karur Unit,
Karur.

: Respondents/Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to withdraw the case in Crime No.127 of 2018 on the file of the 4th respondent and transfer the same to the 5th respondent.

For Petitioner : Ms.S.Prabha
for Mr.S.Gokulraj
For Respondents : Ms.S.Bharathi
Government Advocate

ORDER

This petition has been filed seeking for transfer of investigation pending on the file of the fourth respondent in Crime No.127 of 2018.

2.The learned counsel for the petitioner would submit that the husband of the petitioner was attacked by the accused persons and he sustained grievous injuries in his head. According to the learned counsel for the petitioner, the fourth respondent police have ignored the facts stated in the complaint and have registered the FIR under Section 294 and 307 IPC.



3.The learned counsel for the petitioner would further submit that the petitioner's husband died on 06.10.2018 due to the injury sustained by him in the attack made against him by the accused persons. According to the learned counsel for the petitioner, since the respondent police is not investigating the case effectively, this petition has been filed seeking for transfer of the investigation.

4.The learned Government Advocate on instructions would submit that the respondent police have altered the FIR for the offence under Section 294 and 302 IPC and the respondent police are proceeding further with the investigation effectively. The learned Government Advocate would further submit that A1 was arrested on 03.08.2018 on the next day of the incident and he is still in custody. A2 has also filed a petition for anticipatory bail and the same is pending. Therefore, the learned Government Advocate would submit that the respondent police is carrying on with the investigation effectively.

5.This Court has carefully considered the submissions made on either side. The respondent police have acted in a swift manner in this case by altering the FIR and also by arresting A1 on 03.08.2018. The investigation is in progress and therefore, this Court does not want to interfere with the investigation at this stage. However, liberty is given to the petitioner to approach this Court at later point, if there is any slack in the investigation conducted by the fourth respondent police. With such liberty this Criminal Original Petition is disposed of.

Sd/

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Director General of Police,
Chennai.

2.The Deputy Inspector of Police,
Trichy Region,
Trichy.

3.The Superintendent of Police,
Karur District,
Karur.

4.The Inspector of Police,
Palaviduthi Police Station,
Karur District,

<https://hcservices.ecourts.gov.in/hcservices/>
In Crim No.127 of 2018.



5.The Inspector of Police,
CBCID, Karur Unit,
Karur.

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

+1cc to Mr.S.Gokulraj, Advocate, SR.No.92557

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TA
KK/RP/SAR-3/07.12.2018/3P-8C