



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.18077 of 2018

Arun Kumar Rajan

... Petitioner

-Vs-

1.The Director General of Police,
Post Box No.601,
Dr.Radha Krishnan Salai,
Mylapoor, Chennai.

2.The Commissioner of Police,
1/65, Alagar Kovil Main Road,
K.K.Nagar, Race Course Colony,
K.Pudur, Madurai.

3.The Inspector of Police,
E1 Police Station,
K.Pudur, Madurai.

... Respondents

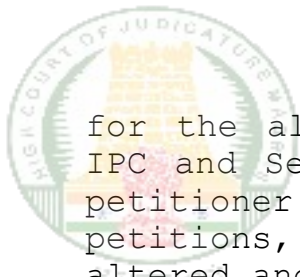
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the first respondent to transfer the investigation of the case in FIR No.669 of 2018 from the file of the third respondent to any other investigating officer for complete the investigation and to file charge sheet within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For Respondents : Ms.Bharathi,
Government Advocate.

ORDER

This petition has been filed, seeking for a direction to transfer the investigation conducted by the third respondent in Crime No.669 of 2018.

2.The learned counsel appearing for the petitioner would submit that the petitioner was attacked by certain persons and he sustained head injuries and based on the complaint given by the petitioner, the respondent police has registered the First Information Report



for the alleged offences under Sections 294(b), 323, 324, 506(ii) IPC and Section 4(1)(J) of Tamil Nadu Prohibition Act. While the petitioner was taking treatment, the accused persons had filed bail petitions, at which point of time, the First Information Report was altered and the offence under Section 324 IPC was deleted.

WEB COPY

3. According to the learned counsel appearing for the petitioner, this was done deliberately in order to help the accused persons to get bail. That apart, the learned counsel would submit that there has been absolutely no progress in the investigation.

4. The learned Government Advocate appearing for the respondents would submit that the third respondent police is continuing to effectively investigate the case. The altered First Information Report was filed only on the ground that there are no grievous injuries sustained by the petitioner. However the learned Government Advocate would submit that if the respondent police finds in the course of investigation that more serious offence has been committed by the accused persons, appropriate provisions under IPC will be added at the time of filing final report.

5. In the facts and circumstances of the case, there shall be a direction to the third respondent to complete the investigation as expeditiously possible, preferably, within a period of four months from the date of receipt of a copy of this order. The respondent police shall ensure that at the time of filing final report, appropriate offence that has been made out in the course of investigation is properly added in the final report and it is filed thereafter.

6. This Criminal Original Petition is disposed of, with the above observation.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Director General of Police,
Post Box No.601,
Dr.Radha Krishnan Salai,
Mylapoor, Chennai.

2. The Commissioner of Police,
1/65, Alagar Kovil Main Road,
K.K.Nagar, Race Course Colony,
K.Pudur, Madurai.



3.The Inspector of Police,
E1 Police Station,
K.Pudur, Madurai.

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

• 1 CC TO Mr.R.Alagumani, ADVOCATE IN SR No. 90035.
MYR
DS RSK SAR1 29 10 2018 3P 6C

CRL.O.P. (MD) No.18077 of 2018
10.10.2018