

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.03.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6097 of 2019

K.Suresh .. Petitioner
Vs.

- 1.The Superintendent of Police,
Nilgiris District,
Nilgiris.
- 2.The Deputy Superintendent of Police,
Nilgiris District,
Nilgiris.
- 3.The State by Inspector of Police,
Pykara Police Station,
Nilgiris District,
Crime No.107 of 2018. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.107 of 2018 pending on the file of the 3rd respondent to any other investigation agency.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.C.Raghavan,
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed seeking to transfer the investigation in Crime No.107 of 2018 pending on the file of the 3rd respondent to any other investigation agency.

2.It is seen that the petitioner was attacked by the accused persons viz., Suresh, Prabhu and their father, in which the petitioner sustained grievous injuries and was admitted in the hospital and a case in Crime No.107 of 2018 was registered by the respondent Police against the accused persons for the offence under Sections 294(b) and 323 of IPC.

3.The main grievance of the petitioner is that though he sustained grievous injuries, the respondent has not registered

the case under section 307 and 326 of IPC, but only registered under Sections 294(b) and 323 of IPC favouring the accused persons. Hence, he file the present petition with the aforesaid prayer.

4.Heard both sides.

5.Considering the facts and circumstances of the case and in view of the submissions made by the learned counsel for the petitioner, the 3rd respondent is directed to conduct proper enquiry and also assess the nature of injury sustained by the petitioner within a period of three months from the date of receipt of copy of this order. The 2nd respondent is also directed to monitor the investigation and also ensure that the 3rd respondent completes the enquiry and files the final report within three months.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
Nilgiris District,
Nilgiris.
- 2.The Deputy Superintendent of Police,
Nilgiris District,
Nilgiris.
- 3.The State by Inspector of Police,
Pykara Police Station,
Nilgiris District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Guruprasad, Advocate sr.no.22697

nr 03/05/2019

Cr1.O.P.No.6097 of 2019