

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATE: 06.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Crl.O.P.(MD).No.2696 of 2018**

Koilmanickam

... Petitioner

-Vs-

1.The State of Tamil Nadu
represented through the Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli.

... Respondents

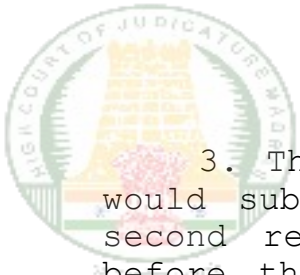
Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation from the second respondent to any other investigation agency or to any other higher police officials not below the rank of Deputy Superintendent of Police and to conduct further investigation and file a final report within the time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

The criminal original petition has been filed seeking for a direction to the first respondent to transfer the investigation from the second respondent to any other investigation agency or to any other higher police officials not below the rank of Deputy Superintendent of Police.

2. The grievance of the petitioner is that he has given a criminal complaint against the accused before the second respondent police. Based on the complaint, a case in Crime No.207 of 2017 has been registered for an offence under Sections 452, 294(b), 324 and 506(2) of I.P.C. Since the investigation is not properly conducted by the second respondent, he has made a representation to the first respondent to transfer the investigation. Since the representation of the petitioner has not been considered, the present petition has been filed.



3. The learned Government Advocate (Crl.side) on instructions would submit that the entire case has been investigated by the second respondent and the final report has already been filed before the learned Judicial Magistrate, Nanguneri, on 09.03.2018 for the offences under Sections 452, 294(b), 324 and 506(2) of I.P.C. and so far the same has not been taken on file. The learned Government Advocate has also produced the copy of the final report.

4. Considering the fact that the investigation has been completed and the final report has also been filed before the learned Judicial Magistrate, Nanguneri, the prayer sought for by the petitioner in the petition cannot be granted. Hence, this criminal original petition is dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

akv

To

1.The Judicial Magistrate,
Nanguneri.

2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

3.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli.

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

+1CC TO MR.P.M.VISHNUVARTHANAN, Advocate Sr. No. 67498

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DB (CO)

TR (19.06.2019) 2P 6C