



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2019

CORAM :

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P.(MD)No.3516 of 2019

WEB COPY

Kumaresan

... Petitioner

/Vs./

1.The Director General of Police,
Office of the DGP, Chennai.

2.The Commissioner of Police,
Police Commissioner Office,
Pudukottai Main Road, Trichy - 20.

3.The Inspector of Police,
Ariyamangalam Police Station,
Trichy - 10.

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to withdraw the case in Crime No.368 of 2018 pending on the file of the 3rd respondent police and transfer the same to any Competent Agency or Officer, Trichy or any other independent investigating agency.

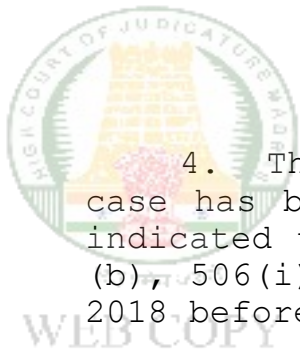
For Petitioner : Mr.B.Janath Ahmed
For Respondents : Mr.V.Neelakandan,
Additional Public Prosecutor

ORDER

This criminal original petition is filed for transfer of investigation from the third respondent to any other investigating agency.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner submitted that a case was registered in Crime No.368 of 2018 originally for the offence under Sections 294(b), 379, 344, 448, 452, 506(i) and 34 IPC. In the occurrence, the accused Valarmathi and her henchmen illegally trespassed and broke the lock of the petitioner's property and also pushed the petitioner's mother. He further submitted that the petitioner's mother has literally suffered paralysis and the de facto complainant is the son of the victim and that she was not even allowed to move by the accused persons.



4. The learned Additional Public Prosecutor submitted that the case has been charge sheeted, wherein the investigating agency has indicated that it has materials only for offence under Sections 294 (b), 506(i) and 427 IPC and the same is now pending in C.C.No.449 of 2018 before the learned Judicial Magistrate No.VI, Trichy.

5. In view of the above, the petitioner is now directed to approach the trial Court, obtain a copy of the charge sheet, ascertain the facts and take such appropriate legal action as may be necessary in this regard. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (W)

/ True Copy /

Sub Assistant Registrar(CS)

sm

To

- 1.The Director General of Police,
Office of the DGP, Chennai.
- 2.The Commissioner of Police,
Police Commissioner Office,
Pudukottai Main Road, Trichy - 20.
- 3.The Inspector of Police,
Ariyamangalam Police Station, Trichy - 10.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
Crl.O.P.(MD)No.3516 of 2019
Dated: 07.03.2019

ES/17.05.2019/2P/5C