



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Cr1.O.P. (MD) No.7916 of 2019

C.Balakrishnan

: Petitioner

Versus

State through by

1.The Superintendent of Police,
O/O.Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Sivagangai.

3.The Sub Inspector of Police,
Ilaiyankudi Police Station,
Sivagangai District.

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent to withdraw the case in Ilayankudi Police Station Cr.No.142 of 2019 on the file of the second respondent and transfer the same to some other Deputy Superintendent of Police preferably in P.C.R. Wing, Deputy Superintendent of Police, Sivagangai District.

For Petitioner : Mr.L.Prabhu

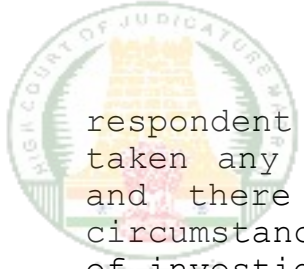
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Cr1.side)

ORDER

This petition has been filed seeking transfer of investigation in Crime No.142 of 2019.

2. Heard both sides.

3. The grievance of the petitioner is that on the basis of the complaint given by the petitioner, a case has been registered by the third respondent in Crime No.142 of 2019 on 08.05.2019 for the offences under Sections 294(b), 506(i) IPC r/w 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and the same was sent to the second



respondent for investigation. However, the second respondent has not taken any steps to investigate the case and examine the witnesses and there is no progress in the investigation. In the above circumstances, the present petition has been filed seeking transfer of investigation.

4. The learned Government Advocate (Criminal side) appearing for the respondents, on instructions, submitted that after registering the complaint, the second respondent conducted the investigation and recorded the statement of as many as seven witnesses including that of the petitioner and the investigation is in progress.

5. Considering the facts and circumstances of the case and also considering the fact that the investigation is being conducted by the second respondent in a proper manner and he has also recorded the statement of seven witnesses, this Court is of the view that the apprehension of the petitioner is not sustainable and hence, there is no necessity to transfer the investigation at this stage. Hence, the Criminal Original Petition is dismissed. However, the second respondent is directed to proceed with the investigation in Crime No.142 of 2019 and file a final report, within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
O/O. Superintendent of Police,
Sivagangai District,
Sivagangai.
 2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Sivagangai.
 3. The Sub Inspector of Police,
Ilaiyankudi Police Station,
Sivagangai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr. L.PRABHU, Advocate, SR.No. 67570

Cr1.O.P. (MD) No.7916 of 2019

Dated: 10.06.2019