



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2019

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cr1.O.P. (MD)No.3849 of 2016

Muthulakshmi

... Petitioner/Defacto
Complainant

Vs.

1.The Superintendent of Police,
Thanjavur,
Thanjavur District.

2.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

... 1 to 3 Respondents/
Complainant

4.Duraimanickam

5.Malar

... 4& 5 Respondents/
Accused No.1 & 2

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure to transfer the investigation of the Crime No.281 of 2015 on the file of the third respondent police to the second respondent police.

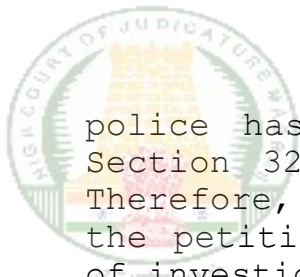
For Petitioner : Mr.A.J.Mohamed Kassim

For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor
for R.1 to R.3

ORDER

This Criminal Original Petition has been filed by the petitioner seeking transfer of investigation in Crime No.281 of 2015 from the file of the third respondent police to second respondent police.

2. The petitioner is the complainant in Crime No.281 of 2015 and though he has sustained grievous injuries, the third respondent



police has registered the case for the offence punishable under Section 324 IPC and they have not acted in accordance with law. Therefore, apprehending that there will not be a fair investigation, the petitioner has come forward before this Court seeking transfer of investigation.

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3. The learned Additional Public Prosecutor, on instructions, submitted that though the case was registered for the offence punishable under Sections 324, 294(b), 342 & 506(ii) IPC, the respondent police, after investigation, has altered the offence under Section 324 to 326 and has filed a final report before the Judicial Magistrate, Pattukottai, on 10.02.2016, in C.C.No.325 of 2017, for the offence punishable under Sections 294(b), 342, 326 & 506(ii) IPC.

4. The learned Additional Public Prosecutor further submitted that the case is posted for trial for examination of PWs 1 to 3 on 25.03.2019 (today) and since, the witnesses have not turned up, the trial is posted to 26.03.2019 (tomorrow).

5. In view of the above submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is closed as no further order is required to be passed.

Sd/-

Assistant Registrar(Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The judicial Magistrate, Pattukottai
- 2.The Superintendent of Police,
Thanjavur, Thanjavur District.
- 3.The Deputy Superintendent of Police,
Pattukottai, Thanjavur District.
- 4.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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