



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .Nos.10184, 10188, 10192 &
10193 of 2019

Udhayarani : Petitioner in Crl.O.P. (MD) .Nos.10184
10188 & 10193 of 2019

Geetha : Petitioner in Crl.O.P. (MD) .No.10192 of 2019

Vs.

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

2.The Deputy Superintendent of Police,
Orthanadu Sub Division,
Thanjavur District.

3.Mr.Kamaraj,
Deputy Superintendent of Police,
Orthanadu Sub Division,
Thanjavur District.

4.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crime Nos.153, 194 of 2018, 120 & 119 of 2019)

5.Mrs.Hemalatha,
Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

: Respondents in all Petitions

COMMON PRAYER: Petitions are filed under Section 482 of Criminal Procedure Code to change the Investigation Officer in respect of Crime Nos.153 and 194 of 2018, 120 and 119 of 2019 on the file of Pappanadu Police Station, Thanjavur District from the third respondent to first respondent.

For Petitioners
For R-1, R-2 & R-4

: Mr.G.Thalaimutharasu
: Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)
(In all Petitions)

**COMMON ORDER**

These Criminal Original Petitions have been filed seeking to change the Investigating Officer in respect of Crime Nos.153 and 194 of 2018, 120 and 119 of 2019 pending on the file of the third respondent to any some other Police Station.

2.The grievance of the petitioners is that, due to some civil dispute pending between the petitioners and their neighbors, the accused persons are periodically harassing the petitioners, the petitioners have filed four complaints against them. But the fourth and fifth respondents have not taken any steps, and they are not conducting the investigation in a proper manner. In the above circumstances, the present petitions have been filed seeking transfer of these four complaints to some other Police Station.

3.Today, when these matters were taken up for hearing, the learned Government Advocate (Crl. side) appearing for the respondents 1, 2 and 4, on instructions, submitted that there is a civil dispute between the petitioners and their neighbors. In this regard, a suit is also pending before the learned District Munsif, Orathanadu. Earlier, the petitioners have filed four complaints against those persons and all those complaints have been registered by the fourth respondent, likewise, complaints against the petitioners were also registered by the Police and the investigations are going on in proper manner and with some false allegations, the petitioners have filed these present petitions.

4.Considering the fact that already five complaints are pending between the parties and the respondent Police are conducting the investigation in all these cases. All the complaints filed by the petitioners have been duly registered by the fourth respondent Police and no substantial allegations are made against the fourth and fifth respondents, as the investigation is going on in a proper manner, at this stage, the prayer sought for by the petitioners cannot be granted.

5.Considering the fact that the investigation is commenced, the fourth respondent is directed to proceed with the investigation and complete the same and file final reports within a period of three months from the date of receipt of a copy of this order.

6.Accordingly, the Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar

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To

- 1.The Superintendent of Police,
Thanjavur District, Thanjavur.
 - 2.The Deputy Superintendent of Police,
Orthanadu Sub Division,
Thanjavur District.
 - 3.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to Mr.G.THALAIMUTHARASU, Advocate SR-76703.

Order made in
CRL.O.P. (MD) .Nos.10184, 10188,
10192 & 10913 of 2019

Dated:
19.07.2019

CS (27.08.2019) 3P 6C