



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.12606 of 2019

Amaravathi

... Petitioner

-Vs-

1. The Superintendent of Police
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Madurai District, Madurai.

3.The Inspector of Police
Silaiman Police Station,
Madurai District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to issue direction for transfer of Investigation for the complaint dated 29.05.2019 and 10.06.2019 on the file of the respondent no.3 and entrust the same to respondent no.1 or any other competent authority and conduct a fresh, proper and speedy investigation and file a final report before this Court and grant adequate compensation to the petitioner's family.

For Petitioner	: Mr.A.Rajini
For Respondents	: Mr.K.Suyambulinga Bharathi Government Advocate(crl.side)

O R D E R

This Criminal Original Petition has been filed to issue a direction for transfer of Investigation for the complaint dated 29.05.2019 and 10.06.2019 on the file of the third respondent and entrust the same to first respondent or any other competent authority.

2.The learned counsel for the petitioner submitted that the petitioner lodged so many complaints before the file of the third respondent for various occurrence, even then, the third respondent



did not conduct any enquiry and simply they closed the complaints and therefore, he prayed for transfer of investigation from the third respondent to the first respondent.

3.The learned Government Advocate (criminal side) would submit that the very same set of allegation, the petitioner repeatedly gave so many complaints and all the complaints enquiry was conducted and complaints were closed and also produced the statement before this Court and finally, on the complaint dated 05.08.2019, they conducted an enquiry on 06.08.2019 and statement also recorded from the petitioner and closed the complaint. Further, he submitted that the case has been registered against the grand-son for the offence under Section 307 of IPC, in Crime No.181 of 2019 and the same is pending for investigation. Only to escape from the clutches of law in Crime No.181 of 2019, now the present complaint has been repeatedly lodged by the petitioner.

4.Heard the learned counsel for the petitioner and the learned Government Advocate (criminal side) for the respondents.

5.It is seen from the records that the petitioner lodged the complaint before the third respondent and all the complaints, the petitioner has been examined by the third respondent and the complaints have been closed. Finally, the complaint, dated 05.08.2019, the third respondent issued C.S.R.No.416 of 2019 and on 06.08.2019, respondent police conducted enquiry and closed the same. It is also seen that the grand-son of the petitioner has been involved in Crime No.181 of 2019 for the offence under Section 307 of I.P.C and is pending for investigation. Under these circumstances, the petition for transfer of investigation cannot be considered by this Court. Since no investigation is pending on the file of the third respondent, on the complaint lodged by the petitioner. Based on the complaint given by the petitioner, enquiry was conducted and the same was closed. This petition is devoid of merits.

6.Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (Ad-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Madurai District, Madurai.
- 3.The Inspector of Police,
Silaiman Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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