



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.15979 of 2019

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M. Lakshmibai

...Petitioner

-Vs-

1.The Commissioner of Police
Madurai District.

2.The Inspector of Police,
K.Pudur Police Station,
Surya Nagar,
K.Pudur, Madurai - 7.

3.S.Prabakaran

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the first respondent to change the investigation of second respondent to some other police station and also may direct the first respondent to monitor the investigation.

For Petitioner : Mr.S.Arivalagan
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate(crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the first respondent to change the investigation of second respondent to some other police station and also may direct the first respondent to monitor the investigation.

2. The learned counsel for the petitioner would submit that the petitioner has lodged a complaint before the first respondent and the same has been forwarded to the second respondent. Now, the learned counsel for the petitioner would submit that the second respondent has no jurisdiction to enquire the complaint. Hence, he filed this petition to transfer of investigation.

3. Heard both sides.

4. It is seen that the petitioner did not lodge any complaint directly before any jurisdictional police. He sent a complaint by Post to the Commissioner of Police, Madurai. Now the complaint is pending before the second respondent for enquiry. On enquiry stage, the transfer of investigation cannot be granted. Only after registering the F.I.R., it can be considered. Hence, this Criminal Original Petition is dismissed. However, the petitioner is at



liberty to send representation before the jurisdictional police authority.

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// True Copy //

Sd/-

Assistant Registrar (AD II)

Sub Assistant Registrar (CS)

Ls

To

1.The Commissioner of Police
Madurai District.

2.The Inspector of Police,
K.Pudur Police Station,
Surya Nagar,
K.Pudur,
Madurai - 7.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.ARIVALAGAN, Advocate (SR-96456[F] dated 06/11/2019)

CrI.O.P. (MD)No.15979 of 2019
05.11.2019

_KK/SAR/29.11.2019/2P-5C/