



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.14520 of 2019

Siva

... Petitioner

Vs.

1.The Superintendent of Police
Dindigul District, Dindigul.

2.The Deputy Superintendent Of Police,
Nilakkottai, Dindigul District.

3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

4.The Inspector of Police,
CBCID Wing, Dindigul District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first Respondent to transfer the investigation from the third respondent to fourth respondent or any other Honest Officer in Cr.No.157 of 2019 on the file of the third respondent as per law within a time frame that may be fixed by this Court.

For Petitioner : Mr.D.Anbarasu

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

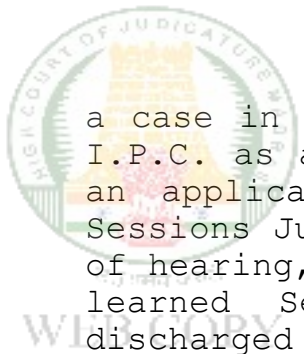
O R D E R

This petition has been filed to direct the first Respondent to transfer the investigation from the third respondent to the fourth respondent or any other investigating agency in Crime No.157 of 2019 on the file of the third respondent as per law within a time frame that may be fixed by this Court.

2.Heard both sides.

3.The learned counsel for the petitioner submitted that on the complaint lodged by the petitioner, the third respondent registered

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a case in Crime No.157 of 2019 under Sections 323, 324 and 506(ii) I.P.C. as against the counter parties and the counter parties filed an application seeking for anticipatory bail before the learned Sessions Judge, Dindigul in Crl.M.P.No.1073 of 2019, and at the time of hearing, the third respondent police wrongly submitted before the learned Sessions Judge, Dindigul, as if the petitioner was discharged from the hospital, but, the petitioner was admitted the hospital after the occurrence and he had been taken to a private hospital and treated him as inpatient for more than 36 days, even then, the third respondent reported before the learned Sessions Judge, Dindigul, as if the petitioner was discharged from the hospital and on the submission made by the third respondent, the learned Sessions Judge, Dindigul, granted anticipatory bail to the counter parties. Therefore, he sought for transfer of investigation in Crime No.157 of 2019 to some other investigating agency from the file of the third respondent.

4.The learned Government Advocate (criminal side) submitted that on the complaint lodged by the petitioner, a case has been registered in Crime No.157 of 2019 for the offences under Sections 323, 324 and 506(ii) I.P.C. as against the counter parties and on the other hand, on the another complaint lodged by the counter party another case registered in Crime No.158 of 2019 for the offences under Sections 294(b), 323 and 506(ii) I.P.C as against the petitioner. He further submitted that investigation is under process and they have to follow the Police Standing Orders on the counter complaint.

5.Considering the above facts, at this stage, on the ground raised by the petitioner, the investigation cannot be transferred to other investigating agency. However, the third respondent is directed to follow the Police Standing Orders in the counter complaint and complete the investigation and file the final report within a period of two months from the date of receipt of a copy of this order. The second respondent is also directed to monitor the investigation by the third respondent and ensure that the third respondent shall complete the investigation and file the final report as directed by this Court.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)



To

- 1.The Superintendent of Police
Dindigul District, Dindigul.
- 2.The Deputy Superintendent Of Police,
Nilakkottai, Dindigul District.
- 3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 4.The Inspector of Police,
CBCID Wing, Dindigul District
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D. ANBARASU, Advocate (SR-91840[F] dated 15/10/2019)

CrI.O.P. (MD) No.14520 of 2019
15.10.2019

JMN(30.10.2019) 3P : 7C