

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14222 of 2020

R.Kalyanakumar

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Thiruvarur District.

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

3. The Inspector of Police,
O/o. Koothanallur Police Station,
Thiruvarur District.

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the 1st respondent to transfer the case in Crime No.1431 of 2020 pending on the file of the 3rd respondent to some other investigation agency and investigate the same and file the final report expeditiously.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 1st respondent to transfer the case in Crime No.1431 of 2020 pending on the file of the 3rd respondent to some other investigation agency and investigate the same and file the final report expeditiously.

2. The learned counsel for the petitioner would submit that on 19.08.2020 the petitioner was brutally attacked by the accused persons, on his head, till today he is taking treatment. While being so, the 3rd respondent even till today did not take any steps to secure the accused persons and also kept the FIR in cold storage. Therefore, he sought for transfer of investigation from the file of the 3rd respondent to any other investigation agency.

3. The learned Additional Public Prosecutor submitted that after registration of FIR, the 3rd respondent found a special team to secure the accused persons 1 to 4 in pursuant to the Crime No.1431 of 2020 on the complaint lodged by the petitioner herein. Now, the accused persons have approached this Court for anticipatory bail in CrI.O.P.No.13890 of 2020 and it is pending before this Court. He would further submit that in fact, the petitioner also filed intervening petition as against the petition for anticipatory bail filed by the accused persons.

4. It is seen that the petitioner was brutally attacked by the accused persons and as such, the petitioner sustained grievous injuries on his head. Though he was discharged from the hospital, still he is taking treatment daily. Now, the learned Additional Public Prosecutor submitted that all the accused persons have approached this Court for anticipatory bail in CrI.O.P.No.13890 of 2020. In which, the defacto complainant also filed petition to intervene in the anticipatory bail petition and it is pending. In fact, the 3rd respondent also found special team to secure the accused persons.

5. Considering the above submissions, the change of investigation would not serve any purpose since the accused persons already approached this Court for anticipatory bail and it is pending. However, the 3rd respondent is directed to complete the investigation within a period of Sixteen weeks from the date of receipt of a copy of this order and file a final report in accordance with law. Further, the 2nd respondent is directed to monitor the investigation done by the 3rd respondent.

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

Sd/-

सत्यमेव जयते
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ssn

To

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

3. The Inspector of Police,
O/o. Koothanallur Police Station,
Thiruvarur District.

4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.14222 of 2020

RJI (CO)
GN(29/10/2020)



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