



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.01.2020
CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
CRL.O.P.(MD).Nos. 1108 and 1150 of 2020

WEB COPY

S. Palanikumar ... Petitioner in both petitions
Vs.

1. The Superintendent of Police
Tenkasi, Tenkasi District
2. The Deputy Superintendent of Police
Sankarankovil
Tenkasi District
3. The Inspector of Police
Sankarankovil Town Police Station
Tenkasi District
4. The Sub Inspector of Police
Sankarankovil Town Police Station
Tenkasi District

... Respondents in both petitions

COMMON PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime Nos.536 and 537 of 2019 on the file of the fourth respondent to the third respondent or any other agency for conducting the proper investigation in accordance with law.

(In both petitions)

For Petitioner : Mr.R.J.Karthick

For Respondents : Mrs.S.Bharathi

1 to 4 Government Advocate(Crl.Side)

COMMON ORDER

These Criminal Original Petition have been filed to transfer the investigation in Crime Nos.536 and 537 of 2019 on the file of the fourth respondent to the third respondent or any other agency for conducting the proper investigation in accordance with law.

2. The learned counsel for the petitioner would submit that the petitioner's friend was brutally assaulted by four persons. In respect of the complaint given by the petitioner a case in Crime No. 536 of 2019 was registered by the fourth respondent. Strangely on the complaint given by the counter parties a case in Crime No. 537 of 2019 was registered by the fourth respondent. Now at the behest of the second respondent, the fourth respondent is compelling the



petitioner to withdraw the complaint. He would further submit that it is a case where the petitioner and his friends were once again assaulted and the petitioner had severe head injuries and his friend had fracture. In the counter complaint the petitioner/accused sustained simple injuries and due to the pressure given by the second respondent investigation has not been done in a proper manner. Therefore investigation in both the cases may be transferred to some other agency.

3. The learned Government Advocate(Crl.Side) would submit that they have no objection to transfer the case from the file of the fourth respondent to the third respondent for conducting investigation.

4. At this juncture the learned counsel for the petitioner would submit that a direction may also be issued to the first respondent to monitor the investigation done by the third respondent.

5. In view of the same Crime Nos. 536 and 537 of 2017 pending on the file of the fourth respondent are directed to be transferred to the file of the third respondent for further investigation in accordance with law. Further the first respondent is directed to monitor the investigation done by the third respondent.

6. With the above direction, the Criminal original petition is disposed of.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Tenkasi, Tenkasi District
2. The Deputy Superintendent of Police
Sankarankovil
Tenkasi District
3. The Inspector of Police
Sankarankovil Town Police Station
Tenkasi District

<https://hcservices.tn.gov.in/hcservices/>



4. The Sub Inspector of Police
Sankarankovil Town Police Station
Tenakasi District

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

+2 CC to Mr.R.J.KARTHICK, Advocate SR-3070,3069

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MK (05.02.2020) 3P 8C