



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2020

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.O.P. (MD) .No.6468 of 2020

WEB COPY

S.Marimuthu

... Petitioner

Vs.

1.State rep. by its
The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.State rep. by
The Inspector of Police,
Vanniyampatti Vilakku,
Srivilliputtur Taluk,
Virudhunagar District.
Crime No.173 of 2019

3.The Inspector of Police
CBCID,
Virudhunagar District,
Virudhunagar.

4.Paul Yesudhasan,

... Respondents

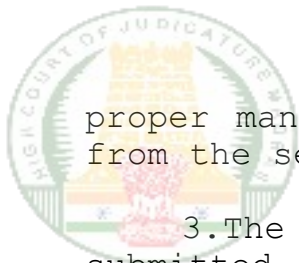
PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the investigation in Crime No.173 of 2019 on the file of the 2nd respondent police and transfer the same to the 3rd respondent herein.

For Petitioner	:	Mr.T.Antony Arulraj
For Respondents	:	Mr.K.K.Ramakrishnan for R1 to R3 Additional Public Prosecutor

ORDER

The petitioner has filed this petition seeking to withdraw the investigation in Crime No.173 of 2019 on the file of the 2nd respondent police and transfer the same to the 3rd respondent herein.

2.The grievance of the petitioner is that there was an incident between the accused and the deceased, who is the brother of the petitioner and for that, the petitioner has given a complaint before the second respondent police and the same was not taken care of by the respondent police while registering the case on 22.10.2019 and the case was originally registered under Section 174 Cr.P.C., despite the incident was clearly referred by the petitioner and therefore, he apprehends that the investigation may not proceed in a



proper manner and sought a direction to transfer the investigation from the second respondent.

3.The learned Additional Public Prosecutor on instructions submitted that the second respondent police has concluded the enquiry and filed a final report in Crime No.173 of 2019 before the learned Judicial Magistrate No.II, Srivilliputhur, in the month of March 2020, as against three named accused namely Paulraj, Muthamil Selvan and Murugesh Kumar. It is further submitted that the final report has also been taken on file by the learned Judicial Magistrate No.II, Srivilliputhur, in P.R.C.No.4 of 2020 and the case is posted for appearance of the accused on 06.08.2020.

4.In view of the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of with a liberty to the petitioner to go through the final report and if anything is omitted, it is open to the petitioner to file necessary petition.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM/PM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 2.The Inspector of Police,
Vanniyampatti Vilakku,
Srivilliputtur Taluk, Virudhunagar District.
- 3.The Inspector of Police
CBCID, Virudhunagar District, Virudhunagar.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AP(30/06/2020) 2P 5C

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