



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.07.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P.[MD]No.7478 of 2020

Seethanachiyar

... Petitioner/
De-facto Complainant

Vs.

1.The Superintendent of Police,
Tuticorin District, Tuticorin.

2.The Deputy Superintendent of Police,
Pudukkottai,
Tuticorin District.

3.The Inspector of Police,
Pudukkottai Police Station,
Tuticorin District.
(Crime No.423 of 2020)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the investigation of the case in Crime No.423 of 2020, dated 17.06.2020, on the file of the third respondent police to any other independent agency or under the supervision of the first respondent based on the petitioner's representation dated 04.07.2020.

For Petitioner	:	Mr.M.Murugesan
For Respondents	:	Mr.S.Chandrasekar
		Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking direction to the first respondent to transfer the investigation of the case registered in Crime No.423 of 2020, dated 17.06.2020, on the file of the third respondent police to any other independent agency or under the supervision of the first respondent based on the petitioner's representation dated 04.07.2020.

2.The learned counsel for the petitioner would submit that though the case has been registered on 17.06.2020, the third respondent police has not secured the accused and thereby the



petitioner made a suspect over the investigation conducted by the third respondent. Accordingly, he prays to allow the petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that based on the complaint given by the petitioner, a case has been registered only on 17.06.2020, in Crime No.423 of 2020, under Section 420 of I.P.C. He would further submit that it is a settled position that the Court cannot direct the Investigation Officer to conduct the investigation in a particular manner. 4.Upon considering the rival submissions made by either side, it is true it is a settled position that during the time of investigation, under Section 482 Cr.P.C., this Court cannot direct the investigation Officer to conduct investigation in a particular manner and therefore, this Court is not in a position to entertain this application.

5.With the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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, ensuring 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,
Tuticorin District, Tuticorin.
- 2.The Deputy Superintendent of Police,
Pudukkottai,
Tuticorin District.
- 3.The Inspector of Police,
Pudukkottai Police Station,
Tuticorin District.



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

Crl.O.P.[MD]No.7478 of 2020
17.07.2020

ns (CO)
TR(30.07.2020) 3P 5C