



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **08.09.2020**

CORAM:

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

CrI.O.P.[MD]No.8881 of 2020

WEB COPY

Annasamy

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Alangudi,
Pudukkottai District. Expluting

3.The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
(Crime No.484/2020)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the investigation in Crime No.484 of 2020 dated 19.06.2020 on the file of the third respondent police, to some other impartial Investigating Agency.

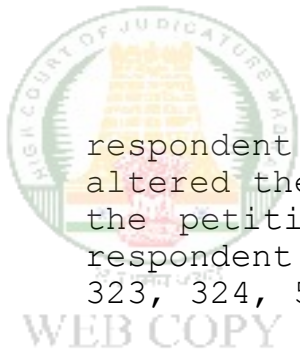
For Petitioner : Mr.K.G.Arunkumar

For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to direct the first respondent to withdraw the investigation in Crime No.484 of 2020 dated 19.06.2020 from the file of the third respondent police and entrust the same to any other Investigation Officer who is competent to investigate the same.

2.The learned counsel for the petitioner would submit that while at the time of occurrence the accused in the above referred Crime No.484 of 2020 assaulted the petitioner and caused injury on various parts of his body. Specifically, he would submit that during the time of occurrence, the petitioner sustained 13 injuries on his body for which he got treatment. The said injuries sustained by the petitioner are all grievous in nature. Though the said injuries may likely cause the death of the petitioner, the third



respondent who is the Investigation Officer in this case, has not altered the sections of law by considering the injuries sustained by the petitioner. Therefore, it is necessary to direct the third respondent to alter the sections of law under Sections 341, 294(b), 323, 324, 506(ii), 307 and 326 of I.P.C.

3.In this regard, the learned Additional Public prosecutor appearing for the respondents, on instructions, would submit that the third respondent is ready to consider the prayer sought for by the petitioner after seeing the Wound Certificate from the Doctor, who treated the petitioner.

4.Therefore, in the said circumstances, since the third respondent herein is ready to consider the prayer sought for by the petitioner, no further order is necessary in this matter. However, the third respondent is directed to file a final report within a period of one month from the date of receipt of a copy of this order only on considering the nature of injuries sustained by the petitioner in accordance with law and also considering the material aspects which were collected during the time of investigation.

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

Sd/-

Assistant Registrar (AD II)

// 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,
Pudukkottai District,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Alangudi,
Pudukkottai District.



3.The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.

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

CrI.O.P.[MD]No.8881 of 2020
08.09.2020

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