



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P. (MD)No.14686 of 2020

Karuppasamy

... Petitioner/Defacto Complainant

Vs.

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

2.The Deputy Superintendent of Police,
Arupukkottai,
Virudhunagar District.

3.The Inspector of Police
Aviyur Police Station,
Virudhunagar District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the first respondent police to transfer the investigation in Crime No.291 of 2020 pending on the file of the third respondent police to any other Officer in Superior to him.

For Petitioner : Mr.M.Anbarasi

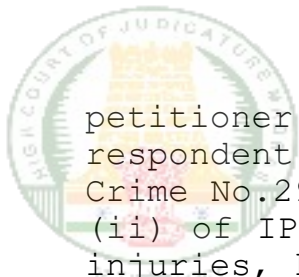
For Respondents : Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the first respondent police to transfer the investigation in Crime No.291 of 2020 pending on the file of the third respondent police to any other Officer in Superior to him.

2.The learned counsel for the petitioner would state that during the ear boring ceremony of the petitioner's children, there was a dispute between the petitioner and accused. On 07.10.2020, when the petitioner was doing agricultural work, the above said persons picked up unnecessary quarrel with the petitioner and abused him in filthy language and assaulted him with deadly weapons. The



petitioner took treatment in Madurai Government Hospital. The third respondent police enquired the petitioner and registered a case in Crime No.291 of 2020 for the offence under Sections 294(b), 324, 506 (ii) of IPC. The petitioner grievance is, he has sustained serious injuries, but the respondent police did not register the case under appropriate sections. Therefore, the petitioner sent a representation, dated 29.10.2020 to the second respondent to further investigate the above said case for altering the FIR, but no action has been taken. Hence, this writ petition.

3. Though the petitioner has come with a larger prayer, he would state that it would suffice, if a direction is issued to the third respondent police to file the final report, after considering the medical records available with the petitioner.

4.The learned Additional Public Prosecutor would state that the respondent police will file the final report, after considering the medical records of the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents.

6. Considering the submission made by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor and also considering the facts and circumstances of the case, the petitioner is directed to give all the medical records available with him to the third respondent police and after looking into the same, the third respondent is directed to investigate the same and to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order.

7. With the aforesaid direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar(CS-)

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,
Virudhunagar District,
Virudhunagar.

2.The Deputy Superintendent of Police,
Arupukkottai,
Virudhunagar District.

3.The Inspector of Police
Aviyur Police Station,
Virudhunagar District.

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

+1 cc to M/s.M.Anbarasi, Advocate in SR No.25657

Crl.O.P.[MD]No.14686 of 2020
14.12.2020

RM

PK/07.01.2021 : 3P/6C