



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.12.2020

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THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Crl.OP(MD)No.15181 of 2017

WEB COPY

A.Abbas

: Petitioner

Vs.

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

2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

(In Crime No.358 of 2017)

: Respondents

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to direct the 1st and 2nd respondents to transfer the investigation in Crime No.358 of 2017 pending before the 2nd respondent to some other investigation officer under the monitoring of the 1st respondent based on the petitioner's representation on 15.09.2017.

For Petitioner

: Mr.M.Ramu

For Respondents

: Mr.K.Karmegam

Government Advocate
(Criminal side)

O R D E R

(Thro' VC)

This Criminal Original Petition is filed seeking for a direction to the respondents 1 and 2 to transfer the investigation in Crime No.358 of 2017 pending on the file of the 2nd respondent to some other Investigation Officer under the monitoring of the 1st respondent, based on the petitioner's representation, dated 15.09.2017.

2.The case of the prosecution is that on 16.07.2017 at about 10.00 am, when the de-facto complainant riding the bike with his wife nearby Cumbum Kosendra Odai, the petitioner drove the white colour TATA India Car TN-60-H-2088 and dashed against the Alto Car KL-37-4848 and thereafter, hit against the de-facto complaint's bike. In this connection, the 2nd respondent police has registered a case in Crime No.358 of 2017 for the offence under sections 279 and 337 IPC.

3.When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the 1st respondent submitted that in this case, after completing the investigation, charge sheet has been filed before the trial court and it was not taken on file.

4.The above said fact is not disputed by the learned counsel appearing for the petitioner and they are going to challenge the charge sheet filed before the court.

5.Recording the above submission of the learned Government Advocate (Criminal side), this court is of the view that there is no need to keep this criminal original petition pending and accordingly, this criminal original petition is dismissed as infructuous.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar(CS)

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To

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

2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

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

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