



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

Crl.O.P. (MD) .No.19482 of 2019

Marimuthu

...Petitioner

Vs.

1.The Director General of Police,
O/o.The Director General of Police,
Mylapore, Chennai.

2.The Superintendent of Police,
O/o.The Superintendent of Police,
Thanjavur District.

3.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Orathanadu Taluk,
Thanjavur District.

4.The Inspector of Police,
O/o.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the second respondent to withdraw the case in Crime No.121 of 2019 on the file of the fourth respondent and to transfer the same to some other competent fair investigation officer.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mrs.S.Bharathi,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent to withdraw the case in Crime No.121 of 2019 on the file of the fourth respondent and to transfer the same to some other competent fair investigation officer.

2. The grievance of the petitioner is that the fourth respondent is colluding with the accused and he is not conducting



the investigation in a proper manner. It is the further grievance of the petitioner is that on 31.08.2019, the petitioner was threatened by the accused, hence, a complaint in Crime No.121 of 2019 was filed and thereafter, once again threatened by the accused, and hence, another complaint in Crime No.170 of 2019 was filed, on 17.11.2019. Despite two cases being registered, no action was taken against the accused and the fourth respondent is colluding with the accused and hence, the petitioner filed this petition for transferring the investigation.

3. The learned Government Advocate (crl.side) would submit that immediately on the complaint given by the petitioner, case has been registered against the accused and the investigation is done in a proper manner. Further, she would submit that the fourth respondent is not the investigation officer, since the case has been registered under the Provisions of SC/ST (POA) Amendment Act and the third respondent is conducting the investigation.

4. The fourth respondent is not the investigation officer conducting investigation. The petitioner has not made any allegation against the other respondents and hence, there is no necessity for transferring the investigation.

5. At this juncture, the learned counsel for the petitioner would submit that a direction may be issued to the third respondent to complete the investigation at the earliest.

6. This Criminal Original Petition is disposed of with a direction to the third respondent to complete the investigation and file the final report, as expeditiously as possible, preferably, within a period of two months from today.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ls

To

1.The Director General of Police,
O/o.The Director General of Police,
Mylapore, Chennai.



2.The Superintendent of Police,
O/o.The Superintendent of Police,
Thanjavur District.

3.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Orathanadu Taluk,
Thanjavur District.

4.The Inspector of Police,
O/o.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.

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

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