



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.164 of 2021

Rizwan

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.

3.The Inspector of Police,
CBCID,
Dindigul District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.987 of 2020 from the file of the second respondent to the third respondent.

For Petitioner

: Mr.R.Gandhi

For Respondents

: Mr.S.Chandrasekar,

Additional Public Prosecutor

ORDER

The present petition is filed by the petitioner, seeking for a direction to transfer the investigation in Crime No.987 of 2020 of Palani Taluk Police Station, Dindigul District, to the third respondent.

2.The main grievance of the petitioner is that the petitioner's brother was brutally attacked by one Mohammed in the presence of the Inspector of Police and other police men at Palani Taluk Police Station and that on account of this, the petitioner's brother committed suicide on 20.10.2020 and that the investigation has not been done properly by the second respondent and therefore, seeks for transfer of investigation from the second respondent to the third respondent, the Inspector of Police, CBCID, Dindigul District.

3.Mr.S.Chandrasekar, learned Additional Public Prosecutor, who accepts notice on behalf of the respondents, on instructions, would contend that the Inspector of Police, Palani Taluk Police Station, has been transferred recently and another Officer has been taken charge of the said Police Station. He would further contend that a Section of Law was altered into 302 of Indian Penal Code and a report was also filed before the concerned Judicial Magistrate.



According to him, the investigation in Crime No.987 of 2020, is going on the right path.

4.The learned counsel for the petitioner would contend that though the petitioner has sought for larger relief of transfer of investigation in Crime No.987 of 2020 from the file of the second respondent to the third respondent, it would be sufficient, if the investigation is monitored by the Deputy Superintendant of Police, Palani.

5.Since, the petitioner is levelling certain serious allegations against the Inspector of Police, Palani Taluk Police Station and the petitioner's brother was allegedly attacked in the Police Station, the investigation in Crime No.987 of 2020 is directed to be monitored by the Deputy Superintendant of Police, Palani. Further, the second respondent is also directed to conclude the investigation and file a final report before the concerned Judicial Magistrate, within a period of four weeks from the date of receipt of a copy of this order / uploading of the order.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

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,
Dindigul District.

2.The Deputy Superintendant of Police,
Palani.

3.The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.

4..The Inspector of Police,
CBCID,
Dindigul District.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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16.02.2021

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