



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 25.01.2021

PRESENT

THE HONOURABLE MRS .JUSTICE R.HEMALATHA

CRL OP(MD). No.968 of 2021

Ayothi

... Petitioner/Defacto Complainant

Vs

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District. ...Respondent

2.The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.
(Crime No.4 of 2021) ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to withdraw the case in Crime No.4 of 2021 of Chekkanoorani Police Station and entrust the same to any other officer not below the rank of Deputy Superintendent of Police to expedite the investigation.

For Petitioner : Mr.K.Karuppaiya Moopanar
For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

The present petition is filed by the petitioner seeking for a direction to the first respondent to withdraw the case in Crime No.4 of 2021 of Chekkanoorani Police Station and entrust the same to any other officer not below the rank of Deputy Superintendent of Police to expedite the investigation.

2.Mr.S.Chandrasekar, learned Additional Public Prosecutor, who accepts notice for the respondents, on instructions, would contend that the petitioner is the defacto complainant in Crime No.4 of 2021, and an accused in Crime No.5 of 2021.

3. The primordial contention of Mr.K.Karuppaiya Moopanar, learned counsel for the petitioner is that the first accused in Crime No.4 of 2021 is a practicing Advocate and he is very influential and at his instance a false case has been foisted against the petitioner.



4.Considering the fact that the said counsel has been shown as an accused in Crime No.4 of 2021, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (CSIII)

// 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,
Office of the Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(30.03.2021) 2P 4C