



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P.(MD)No.4665 of 2021

V.Srinivasa Perumal

...Petitioner

/Vs./

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Kovil Patti East Police Station,
Kovilpatti, Thoothukudi District.

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to withdraw complaint dated 04.02.2021 pending before the second respondent and entrust the same to any other officer.

For Petitioner : Mr.K.Kumaradhesigan

For Respondents : Mr.A.Robinson

Government Advocate (Criminal side)

ORDER

The present petition is filed seeking for a direction to the first respondent to transfer the enquiry in complaint lodged by the present petitioner with the second respondent to some other Police Officer.

2.Mr.K.Kumaradhesigan, learned counsel appearing for the petitioner contended that though the petitioner has sought for a larger relief of transferring the investigation, it is sufficient if the Inspector of Police, Kovilpatti East Police Station is directed to dispose of the complaint of the petitioner within the time stipulated by this Court.

3.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents, on instructions, would contend that the petitioner's complaint is registered in Current Paper No.P4/04445/285/21 and posted for enquiry.

4.In the circumstances, the Criminal Original Petition is disposed of with a direction to the second respondent to dispose of



the petitioner's complaint based on findings and on merits and also keeping in mind the guidelines issued in the decisions in **D.K.Basu Vs. State of West Bengal** reported in **AIR (1997) SC 610**, within a period of two weeks from the date of receipt of a copy of this order/uploading of the order.

WEB COPY

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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,
Thoothukudi District.
- 2.The Inspector of Police,
Kovil Patti East Police Station,
Kovilpatti, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.4665 of 2021
26.03.2021

PK(CO)

TR(16.04.2021) 2P 4C