



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.5990 of 2021

Chinnathurai

... Petitioner

Vs.

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

2.The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to withdraw the petitioner's complaint dated 19.02.2021, pending before the second respondent and to entrust the same to any other officer not below the rank of Deputy Superintendent of Police to investigate the complaint based on the petitioner's representation dated 09.04.2021, within the time stipulated by this Court.

For Petitioner : Mr.V.Malaiendran
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor.

ORDER

This Criminal Original Petition is filed seeking a transfer of enquiry from the second respondent to some other officer not below the rank of Deputy Superintendent of Police to investigate the complaint, based on the petitioner's representation, dated 09.04.2021.

2. The grievance of the petitioner is that one Sivakumari, who was working as the Police Constable in Sathankulam Police Station, received a sum of Rs.1.25,000/- from the petitioner as hand loan. When the amount was demanded back, she refused to give the same. On 05.02.2021, at about 11.30 a.m., in the premises of the District Court, Thoothukudi, when the same was demanded by the petitioner, she abused the petitioner in filthy language and also criminally intimidated him. For that purpose, he sent a complaint dated 19.02.2021. But, there was no action. Again, the petitioner sent a complaint dated 09.04.2021. Again, there was no action. Hence, this petition.



3.The learned counsel for the petitioner would submit that the second respondent is supporting the Police Constable.

4.The learned Additional Public Prosecutor would submit that based upon the complaint given by the petitioner, CSR.No.632/2021 was registered. Based upon which, the petitioner was summoned twice. But, he failed to appear before the second respondent. Now, the grievance expressed by the petitioner at this stage, cannot be accepted.

5. Considering the facts and circumstances of the case, this Court is of the view that the petitioner must be directed to appear before the Enquiry Officer on 28.06.2021 and co-operate with the enquiry. If any grievance or trouble is experienced by the petitioner, he may approach this Court for appropriate remedy.

6. With this direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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,
South Police Station,
Thoothukudi, Thoothukudi District.

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

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TR(25.06.2021) 2P 4C