



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2021

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THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P. (MD) .No.7546 of 2021

M.Sathishmurugan

.. Petitioner

Vs.

1.The Superintendent of Police,
Viruthunagar District,
Viruthunagar.

2.The Sub-Inspector of Police,
Kizharajakularaman Police Station,
Kizharajakularaman,
Viruthunagar District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to hand over the entire investigation of the case in Cr.No.66 of 2021 dated 03.05.2021 to any other independent investigating agency under supervision of the 1st respondent and direct them to file final report within the period stipulated by this Court.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

ORDER

(This petition is heard through video conference)

This petition has been filed seeking a direction to the 2nd respondent to hand over the entire investigation of the case in Cr.No.66 of 2021 dated 03.05.2021 to any other independent investigating agency under supervision of the 1st respondent and direct them to file final report within the period stipulated by this Court.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that based upon the investigation made by the respondents, further action was dropped and action drop report has been presented before the concerned court. Notice has also been served on the third respondent on 17.09.2021.

3.The learned counsel for the petitioner submitted that pending this matter, it appears that colluding with the accused person such a sort of investigation has been undertaken in biased manner and



this accused is involved in more than in one case similar in nature . He got anticipatory bail before the trial in Crime No.142 of 2021 on Rajapalayam North Police Station. According to him, the accused is not engaged in such sort of illegal activities. But those things cannot be taken into account at this stage.

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4.Since the respondent police filed action drop report before the concerned Court, the petitioner has to workout his remedy through appropriate proceedings.

5.With the above liberty, this petition stands dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Viruthunagar District, Viruthunagar.
- 2.The Sub-Inspector of Police,
Kizharajakularaman Police Station,
Kizharajakularaman,
Viruthunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P. (MD) .No.7546 of 2021
29.09.2021**

DJ(CO)

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