



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.8398 of 2021

WEB COPY

Baskaran

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.

3.The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
(Crime No.76 of 2021)

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st respondent to transfer the investigation in Crime No.76 of 2021 dated 08.04.2021 is pending on the file of the third respondent to the second respondent under the supervision of the first respondent.

For Petitioner : Mr.S.Vanchinathan

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation in Crime No.76 of 2021 dated 08.04.2021 is pending on the file of the third respondent to the second respondent under the supervision of the first respondent.

2. The case of the petitioner is that he is the defacto complainant in the above said crime and the accused persons are money lenders and highly influential persons. Even though he was brutally attacked by the accused and the case was registered on 08.04.2021, the third respondent has not taken any steps and openly said that they may close the case as mistake of fact. On that ground, he has filed the present petition.



3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor would submit that based on the complaint given by the petitioner, the case was registered and all the accused persons have been granted anticipatory bail on 14.04.2020. He would further submit that so far, eight witnesses have been examined. They are waiting for Wound Certificate. On the basis of the Wound Certificate, if any grievous injury exists for the petitioner, they will take steps to alter the offence. A photograph has also been enclosed along with this petition, wherein, it is seen that the grievous injuries sustained by him. He would further submit that there is no question of transfer of investigation does not arise at this stage.

5. Considering the facts and circumstances of the case, it is directed the third respondent herein to conduct the investigation and file a final report within a period of three months from the date of receipt of a copy of this order and the compliance report must be submitted to the Registry thereafter.

6. With this direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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,
O/o.Superintendent of Police,
Sivagangai District.

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



2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.

3.The Inspector of Police,
Singampunari Police Station,
Sivagangai District.

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

Copy to:

1. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD) No.8398 of 2021
28.06.2021

AS(05.07.2021) 3P 5C