



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.9186 of 2021

P.Andichamy

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Othakkadai Range,
Madurai.

3.The Inspector of Police, (Circle)
Melur Police Station,
Melur.

4.The Sub Inspector of Police,
Keelavalavu Police Station,
Keelavalavu.

5.Suresh

6.Seth @ Kannan

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent to transfer the pending investigation in FIR in Crime No.203 of 2021 dated 23.06.2021 from the file of the 3rd and 4th respondents to the file of the 2nd respondent or to any other investigation officer not below the rank of DSP and to conduct further investigation within a stipulated time granted by this Court on the basis of the petitioner's representation dated 25.06.2021.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R1 to R4.



O R D E R

The petitioner is the defacto complainant in Crime No.203 of 2021 registered on the file of Keelavalavu Police Station. The petitioner wants transfer of investigation.

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2.When the matter was taken up for hearing, the learned Additional Public Prosecutor on instructions submitted that the final report was already filed on 13.10.2021 before the Judicial Magistrate, Melur. In the typed set of papers, the petitioner had enclosed the photographs pertaining to the entire occurrence. The petitioner shall make the same available to the investigation officer. The investigation officer is directed to file a supplementary final report and produce the videograph and other photographs before the jurisdictional Magistrate. The jurisdictional Magistrate shall take cognizance of the offences, which have been set out in the FIR. It is obvious that a old woman has been injured on the head. Hence, cognizance shall be taken for the offences under Section 4 of Tamilnadu Prohibition of Harassment of Women Act also. The trial itself shall be concluded on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

3.This criminal original petition is disposed of with the aforesaid directions.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Judicial Magistrate, Melur.
- 2.The Superintendent of Police,
Madurai, Madurai District.
- 3.The Deputy Superintendent of Police,
Othakkadai Range, Madurai.

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



4.The Inspector of Police, (Circle)
Melur Police Station,
Melur.

5.The Sub Inspector of Police,
Keelavalavu Police Station,
Keelavalavu.

6.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

Copy to:

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

+1 CC to M/s.PM. VISHNUVARTHANAN, Advocate (SR-35734[F] dated
24/11/2021)

Crl.O.P (MD)No.9186 of 2021
23.11.2021

RD(02.12.2021) 3P 9C