



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 13.08.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

WEB COPY

Crl.O.P. (MD)No.9440 of 2021

R.Karuppiah

... Petitioner

Vs.

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

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur.
(Crime No.413 of 2021)

... Respondents

Prayer:Criminal Original Petition is filed under Section 482 Cr.P.C., to withdraw the investigation in Crime No.413 of 2021 pending on the file of 2nd respondent of police and transfer the same and entrust the investigation to any other competent authority with a direction to investigate the case in accordance with law.

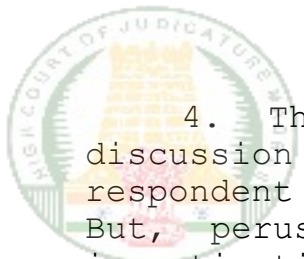
For Petitioner : Mr.M.Jerin Mathew
For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to withdraw the investigation in Crime No.413 of 2021 pending on the file of 2nd respondent of police and transfer the same and entrust the investigation to any other competent authority.

2. The case of the petitioner is that a false case has been foisted against him, in Crime No.413 of 2021 by the second respondent police, on the basis of the compliant, given by the defacto complainant. As per the First Information Report, it is seen that one Muthuraj stored large quantity of river sand illegally, for the purpose of constructing building. During the course of enquiry, he has stated that the said river sand has been brought and stored with the help of the petitioner. According to the petitioner, absolutely false statement has been given by the co-accused and no case has been pending against him in similar nature.

3.But, however, the learned Additional Public Prosecutor would submit that the petitioner is involved in one similar case in Crime No.937 of 2021.



4. The petitioner's grievance can not be a matter for discussion in this matter. According to the petitioner, the second respondent has not conducted the investigation in proper manner. But, perusal of CD file shows that a major portion of the investigation has been completed. Bail has also been granted in favour of the co-accused namely, Muthuraj. So, the contention on the part of the petitioner that only because of the congestion made by the co-accused, the petitioner arrayed as an accused may not be a ground for transfer of investigation. I find no merits, in this petition.

5. But, however, a major portion of the investigation is completed, this Court directs the second respondent to complete the investigation within 2 months from the date of receipt of a copy of this order and file a final report.

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

Sd/-

Assistant Registrar (Records)

// 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,
Thanjavur District, Thanjavur.
- 2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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KMK (CO)

KB (25.08.2021) 2P 4C

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