



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Crl.O.P. (MD)No.10223 of 2021

Muruganantham ... Petitioner/Defacto Complainant

Vs.

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

2.The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District. ...Respondents

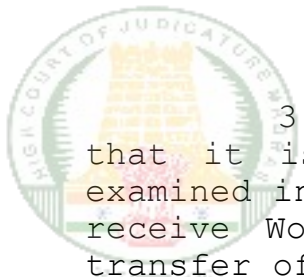
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent herein to transfer the investigation in Crime No.176 of 2021 from the second respondent to any other police station and to file Final Report before the concerned Court within the time stipulated by this Court.

For Petitioner : M/s.S.Sathiya Chidambaram
For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition has been filed for transfer of investigation in Crime No.176 of 2021 from the second respondent to any other police station for further investigation.

2.The learned counsel for the petitioner would submit that in respect of the occurrence that said to have taken place, he was admitted in the Hospital and took treatment upto 17.06.2021. In this regard, a case has been registered for the offences punishable under Sections 294(b), 323, 506 (I) IPC and Section of of Tamilnadu Prohibition of Women Harassment Act in Crime No.176 of 2021, after lapse of four days. According to the petitioner, the respondent police has registered a case in Crime No.174 of 2021 against the petitioner for the offences punishable under Sections 294(b), 323, 324 and 506(i) IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act, based on the false complaint given by one Thangaraj, who is the accused in Crime No. 176 of 2021.The grievance of the petitioner is that the respondent police is trying to close the case in Crime No.176 of 2021.



3.The learned Additional Public Prosecutor would submit that it is a case and counter case. Three witnesses have been examined in one case and four witnesses in another case. Awaiting to receive Wound Certificate to proceed further. At this juncture, transfer of investigation may not arise.

WEB COPY

4.Considering the facts and circumstances of the case and also taking note of the fact that this is a case and counter case and it is seen that the investigation is almost completed, question of transfer of investigation may not arise. However, there shall be a direction to the respondent police to complete the investigation in both Crime Nos.174 of 2021 and 176 of 2021 within a period of four months from the date of receipt of a copy of this order. After filing Final Report, compliance report must be submitted to the Registry of this Court.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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,
Tirunelveli District.
- 2.The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.10223 of 2021
30.07.2021

PK(CO)

LR(10.08.2021) 2P 4C

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



WEB COPY

Crl.O.P.(MD)No.10223 of 2021