



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 30.07.2021

CORAM :

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

CrI.O.P. (MD)No.10288 of 2021

WEB COPY

Ganapathi Kumar

... Petitioner/Defacto  
Complainant

Vs.

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

2.The Inspector of Police,  
Musiri Police Station,  
Musiri,  
Trichy District.  
(Crime No.297 of 2021).

3.Ulaganathan

...Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the first respondent to withdraw the case in Crime No.297 of 2021 on the file of the second respondent and transfer the same to any other competent investigating officer or agency.

For Petitioner

: Mr.K.Arunraj

For R1 & R2

: Mr.R.M.Anbunithi,

Additional Public Prosecutor

**ORDER**

This petition is filed seeking transfer of investigation in Crime No.297 of 2021 from the file of the second respondent to any other competent investigating officer or agency.

2.The case of the petitioner is that there was a sale agreement dispute between the petitioner and the third respondent herein. On 11.07.2021, the petitioner came to his native place and went to the third respondent house along with his uncle. There was a wordy quarrel between the petitioner and the third respondent. On the same day at about 4.00pm, the third respondent along with his son and son-in-law came to the petitioner's house and assaulted him with sickle. The petitioner's father and uncle were also assaulted by them with wooden stick. The petitioner was admitted in Government Hospital, Musiri and thereafter he was transferred to Government Hospital, Trichy for further treatment. Based on the complaint given



by the petitioner, a case in Crime No.297 of 2021 was registered for the offences punishable under Sections 147, 148, 294(b), 323, 324, 341, 506(ii) IPC. Thereafter, there is no progress in the investigation. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that three injured persons are still in Hospital. So far five witnesses have been examined. A1, A2 and A6 were arrested and remanded to custody and other accused persons are absconding. He would further submit that the investigation is going on in a right manner and strongly object to transfer the investigation.

4.It is clear from the submission of the learned Additional Public Prosecutor that the investigation in this case is being carried out in a proper manner. So, there is no question of transfer of investigation. However, considering the facts and circumstances of the case, there shall be a direction to the second respondent to complete the investigation and file a Final Report within three months from the date of receipt of a copy of this order. After filing of the 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 (CS-I)

// 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,  
Trichy District,  
Trichy.

2.The Inspector of Police,  
Musiri Police Station,  
Musiri,  
Trichy District.



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

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CM(CO)

KB(11.08.2021) 3P 4C

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