



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.10549 of 2021

and

Crl.M.P. (MD) No.5380 of 2021

M.Somu Servai @ Somu

... Petitioner/Defacto Complainant

Vs.

- 1.The State represented by
The Superintendent of Police,
Pudukottai District,
Pudukottai.
- 2.The Inspector of Police,
Thiruppunavasal Police Station,
Avudaiyarkovil Taluk,
Pudukkottai District.
- 3.The Inspector of Police,
Manalmelkudi Police Station,
Mimisal,
Pudukkottai District.
- 4.The Inspector of Police,
CBCID - Pudukottai District,
Pudukkottai.
- 5.The Sub - Inspector of Police,
Thiruppunavasal Police Station,
Avudaiyarkovil Taluk,
Pudukkottai District.

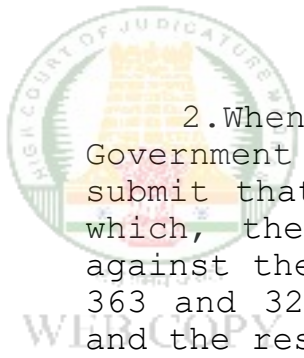
... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.100 of 2021 dated 21.07.2021 on the file of the respondents 2 and 5 to the file of the 4th respondent or to any other competent authority on the basis of the petitioner's representation dated 23.07.2021.

For Petitioner : Mr.R.Sankar Ganesh
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This petition is filed seeking transfer of investigation, on the basis of the representation dated 23.07.2021.



2. When the matter is taken up for hearing, the learned Government Advocate (Crl.side) appearing for the respondents would submit that it is a dispute between the father and son, based upon which, the occurrence took place and a case has been registered against the son for the offences punishable under Sections 147, 452, 363 and 323 of IPC on 21.07.2021. After that there is no progress and the respondents are awaiting for the wound certificate.

3. The learned counsel appearing for the petitioner would submit that the petitioner was grievously attacked by his son and for several days he is taking treatment in the Government Hospital, Pudukottai as inpatient. In spite of that, offence has not been altered to Section 326 of IPC and etc., based upon which, transfer of investigation has been sought.

4. Since it is a dispute between the father and son, transfer of investigation may not be proper. Depending upon the outcome of the investigation, there is a possibility of alteration of the offence also. So, for that purpose only, transfer of investigation cannot be ordered.

5. Considering the offences that has been alleged, 3 months time is granted to the respondent police to complete the investigation and file the final report before the concerned Court. After filing the final report, compliance report must be submitted to the Registry.

6. With the aforesaid direction, this petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

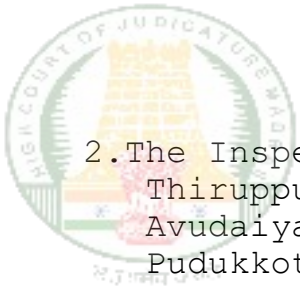
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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

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



- 2.The Inspector of Police,
Thiruppunavasal Police Station,
Avudaiyarkovil Taluk,
Pudukkottai District.
- 3.The Inspector of Police,
Manalmelkudi Police Station,
Mimisal,
Pudukkottai District.
- 4.The Inspector of Police,
CBCID - Pudukkottai District,
Pudukkottai.
- 5.The Sub - Inspector of Police,
Thiruppunavasal Police Station,
Avudaiyarkovil Taluk,
Pudukkottai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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

CrI.O.P. (MD) No.10549 of 2021
06.10.2021

NA (CO)
RS/PM (01.11.2021) 3P 8C