



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 09.09.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10899 of 2021

V.Mariyappan

... Petitioner / Accused No.2

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.

3.The Inspector of Police,
C.B.C.I.D.,
Tirunelveli.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to issue a direction, directing the first respondent to transfer the investigation in Crime No.312 of 2021 from the file of the second respondent to the file of the third respondent.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.R.M.Anbu Nithi,
Additional Public Prosecutor.

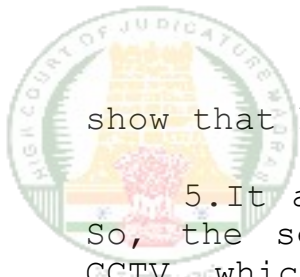
ORDER

This Criminal Original Petition is filed to transfer the investigation in Crime No.312 of 2021, from the file of the second respondent herein, to the file of the third respondent.

2. When the matter was taken up for hearing on 09.08.2021, the learned counsel for the petitioner has submitted that due to the clash of parties, the petitioner has given a complaint before the second respondent and during the course of investigation, a pressure has been made upon the petitioner, who is representing the street vendors to settle the issue.

3.The learned Additional Public Prosecutor would submit that 12 witnesses have been examined. Since it is a case in counter, transfer of investigation in one case, is not possible.

4.The learned counsel for the petitioner would submit that the place of occurrence has been put up in the place of occurrence. It will



show that he is not involved in the above said occurrence.

5.It appears to be genuine grievance, made by the petitioner. So, the second respondent herein, may take the footages of the CCTV, which is put up in the place of occurrence and may undertake the investigation on that line also.

6.In the light of the above, I find no reason for transfer the investigation. But, however, considering the facts and circumstances of the case, the same shall be monitored by the first respondent and the investigation may be completed within 3 months from the date of receipt of a copy of the order and shall file final report before the concerned Court. After completing the same, compliance must be submitted to the Registry.

7.With the above said direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CRL)

// 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 Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
C.B.C.I.D.,
Tirunelveli.



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

Copy to

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

Crl.O.P. (MD)No.10899 of 2021
09.09.2021

NSN (CO)
SB(20.09.2021) 3P 6C