



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.08.2021

CORAM

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

Crl.O.P(MD)No.12351 of 2021

V.Pappa

... Petitioner

Vs.

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

2.The Inspector of Police,  
Rajapalayam South Police Station,  
Rajapalayam,  
Virudhunagar(District).

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to withdraw the petitioner's complaint dated 08.08.2021 in C.S.R.No.288 of 2021 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation of the case based on the representation dated 23.08.2021 by this Court.

For Petitioner

: Mr.P.Palaniappan

For Respondents

: Mr.R.M.Anbunithi

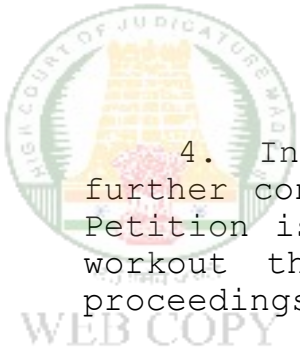
Additional Public Prosecutor

### **ORDER**

This Criminal Original Petition has been filed seeking direction to direct the first respondent to withdraw the petitioner's complaint dated 08.08.2021 in C.S.R.No.288 of 2021 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation of the case based on the representation dated 23.08.2021 by this Court.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that based upon the complaint given by the petitioner, enquiry was undertaken in C.S.R.No.288 of 2021, during the course of enquiry it was found that due to property dispute a false case has been given and no such incident has occurred as stated in the complaint, on that ground the case came to be closed on 23.08.2021 by the second respondent.

3.After completion of enquiry, the transfer of complaint may not be arise.



4. In view of the above submission, nothing survives for further consideration in this matter. Hence, this Criminal Original Petition is dismissed and liberty is granted to the petitioner to workout the remedy before the appropriate Court through proper proceedings.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note:(i) 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,  
Virudhunagar,  
Virudhunagar District.
- 2.The Inspector of Police,  
Rajapalayam South Police Station,  
Rajapalayam,  
Virudhunagar(District).
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Crl.O.P(MD)No.12351 of 2021**  
**27.08.2021**

MGJ(06.09.2021) 2P 4C