



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

W.P(MD)No.15696 of 2021

W.M.P.(MD).No.12646 of 2021

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Balamurugan

... Petitioner

Vs.

1.The Director,
National Commission for Schedule Castes,
2nd Floor, Block-5,
Shastri Bhawan,
Chennai-600 006.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

4.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

5.The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to transfer the investigation of F.I.R.No.150 of 2021 dated 20.08.2021 on the file of the 5th respondent to the fourth respondent.

For Petitioner : Mr.R.Murugappan

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor
(Criminal Side)

O R D E R

This Writ Petition has been filed to transfer the investigation of F.I.R.No.150 of 2021 dated 20.08.2021 on the file of the 5th respondent to the fourth respondent.

2.The learned counsel appearing for the petitioner would submit that the petitioner is no way involved in the above said crime.

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



However, the fifth respondent is compelling the petitioner to admit the offence and surrender before him. So far, four persons have been arrested in this case. For the purpose of investigating the case in fair manner, this petition has been filed seeking transfer of investigation.

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3.The learned Additional Public Prosecutor would submit that totally five persons have been arrayed as accused and so far four persons have been arrested. Only based upon the confession statement given by the co-accused, this petitioner was arrayed as an accused. He would further submit that the investigation is going on in a fair manner.

4.In view of the above submission, there is no question of transfer of investigation and the petitioner has to work out his remedy through appropriate proceedings. This Court does not find any merit in this petition.

5.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Director,
National Commission for Schedule Castes,
2nd Floor, Block-5,
Shastri Bhawan,
Chennai-600 006.

2.The District Collector,
Virudhunagar District,
Virudhunagar.



- 3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 4.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 5.The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RS (13.09.2021) 3P 7C