



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 26.10.2021

CORAM

WEB COPY

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

Crl.O.P. (MD)No.16248 of 2021

Arul Prakash

... Petitioner

Vs.

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

2.The Inspector of Police,
Udaiyazhipatti Police Station,
Pudukottai District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to issue a direction directing the first respondent to withdraw the petitioner's complaint dated 06.07.2021 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 04.10.2021.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to direct the first respondent to withdraw the petitioner's complaint dated 06.07.2021 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 04.10.2021.

2.The grievance of the petitioner is that he made a complaint dated 06.07.2021 before the second respondent. However, no action has been taken and it was kept pending on the file of the second respondent. Hence, the petitioner made a representation before the first respondent dated 04.10.2021 to transfer the enquiry of the complaint to the Deputy Superintendent of Police. Since no action was taken, the petitioner filed the present petition seeking the above said relief.



3.The learned Additional Public Prosecutor appearing for the respondents submitted that based on the complaint given by the petitioner an enquiry was initiated in C.No.287/SDOK/NRC/2020. During enquiry, it was found that there is no truth in the complaint made by the petitioner and more over the parties are close relatives and hence, the complaint was closed on 06.10.2021.

4.Since the complaint has been closed, transfer of enquiry is not necessary and the prayer sought for in this petition has become infructuous. The closure report shall be served to the petitioner. Accordingly, this criminal original petition is disposed of as infructuous.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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,
Office of the Superintendent of Police,
Pudukottai, Pudukottai District.
- 2.The Inspector of Police,
Udaiyazhipatti Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ/PM(10.11.2021) 2P 4C