



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.17360 of 2021

Thonthiyammal

... Petitioner

Vs

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

2.The Inspector of Police,
Bodinayakkanur Police Station,
Theni District.
(Crime No.214 of 2021)

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent to depute any Inspector of Police other than the second respondent to investigate the case in Crime No.214 of 2021 on the file of the second respondent and file charge sheet in accordance with law.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking transfer of investigation.

2. The petitioner is a woman. She had suffered bleeding injury below her eye as well as on her head.

3. The grievance of the petitioner is that the second respondent had registered Crime No.214 of 2021 only for the lesser offences which are Sections 294(b) and 323 of IPC. According to him, the respondent police are totally inactive in the matter.

4. After a careful consideration of the FIR, I am of the view that the police cannot be blamed for registering FIR only for the offences mentioned above. Be that as it may, in a case of this nature, final report could have been filed by now. No case has been made out for transferring investigation. The offences are bailable. Therefore, the question of arrest does not arise. In these circumstances, in the interest of justice, I direct the second respondent to file final report within a period of four weeks from



the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed of with the aforesaid direction.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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,
Theni District,
Theni.
- 2.The Inspector of Police,
Bodinayakanur Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD/PM (23.11.2021) 2P 4C