



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18608 of 2021

and

Crl.M.P.(MD)No.10297 of 2021

J.Joseblason

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Kanyakumari District,
Kanyakumari.
- 2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District,
Kanyakumari.
- 3.The Inspector of Police,
Kottar Police Station,
Kanyakumari District,
Kanyakumari.
(In Crime No.866 of 2021)
- 4.The Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District,
Kanyakumari.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent No.1 to withdraw the case in Crime No.866 of 2021 dated 19.11.2021 on the file of the respondent No.3 and entrust the same to any other investigation of the case by a competent officer and file a final report before the jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner	:	Mr.T.Lajapathi Roy
For Respondents	:	Mr.T.Senthil Kumar, Addl. Public Prosecutor.



O R D E R

This criminal original petition has been filed for transfer of investigation in Crime No.866 of 2021 registered on the file of Kottar Police Station.

2.The petitioner's son had suffered injury in his eye. The grievance of the petitioner is that the main accused namely, Soranam @ Karuthan was not arrested. Mr.Kingsly Dev Anand, the Inspector of Police, Kottar Police Station is present in person. He informed the Court that the reason for not immediately arresting the first accused was that he had attempted to commit suicide one week back and he was genuinely apprehensive that if he arrested the first accused, anything untoward may happen. Following the filing this criminal original petition, he had arrested Sornam @ Karuthan and he had also been remanded him to custody. He also assures the Court that he will file a positive final report against the person, who had actually committed the crime in question. He undertakes that he will file a positive final report before the jurisdictional Magistrate within a period of ten days from the date of receipt of a copy of this order. The jurisdictional Magistrate will take a call in the matter within a period of two weeks thereafter. Since I am satisfied that the investigation is going in the right lines, it is not necessary to transfer the investigation.

3.Recording the undertaking given by the Inspector of Police, Kottar Police Station, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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,
O/o. Superintendent of Police,
Kanyakumari District,
Kanyakumari.

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



2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District,
Kanyakumari.

3.The Inspector of Police,
Kottar Police Station,
Kanyakumari District,
Kanyakumari.

4.The Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District,
Kanyakumari.

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

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-37724[F] dated
08/12/2021)

Crl.O.P(MD)No.18608 of 2021
07.12.2021

RK(20/12/2021) 3P 7C