



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.19437 of 2021

Vadivel

... Petitioner / Defacto complainant

Vs

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Saanarpatti Police Station,
Dindigul District.
(Crime No.723 of 2021)

3.The Inspector of Police,
CBCID,
Dindigul District.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent to withdraw Crime No.723 of 2021 from the file of the second respondent and transfer the same to the third respondent or any other competent investigating agency for investigation.

For Petitioner : M/s.A.Arul Jenifer

For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

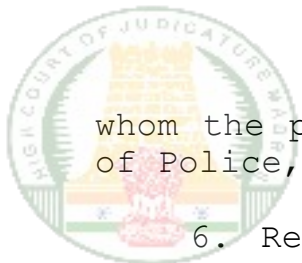
This Criminal Original Petition has been filed seeking transfer of investigation in Crime No.723 of 2021 from the file of the second respondent to the third respondent.

2. The petitioner herein was attacked by three named individuals on 10.11.2021 and hence, FIR was registered for the offences under Section 294B, 323 and 506(i) of IPC. In a case of this nature, it is ridiculous to seek transfer of investigation to CBCID.

3. The petitioner's counsel states that the petitioner is having a civil dispute with his cousin who is presently working as SI of Police attached to Natham Police Station and that he had hired the accused to attack the petitioner herein.

4. The learned Additional Public Prosecutor states that a positive final report will be filed in this case within a period of three months.

5. In view of the categorical statement, I am of the view that there is no need for transfer of investigation. This is all the more so because, even according to the petitioner, the person with



whom the petitioner is having dispute and who is now working as SI of Police, was not present in the scene of occurrence.

6. Recording the submission of the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.

WEB COPY

Sd/-

Assistant Registrar (T&P)

// 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,
Dindigul District.
- 2.The Inspector of Police,
Saarnarpatti Police Station,
Dindigul District.
(Crime No.723 of 2021)
- 3.The Inspector of Police,
CBCID,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.19437 of 2021
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MGJ(30.12.2021) 2P 5C