



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.4936 OF 2022

K.Santha Kumar

... Petitioner/
Defacto Complainant

Vs.

1. The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
3. The Inspector of Police,
CBCID,
Krishnagiri District.

...Respondents/
Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to transfer the investigation pending in Cr.No.379 of 2021 on the file of the 2nd Respondent police and transfer to the 3rd Respondent.

For Petitioner : Mr.M.Mohammed Riyaz

For Respondent : Mr.V.Meganathan
Government Advocate
(Crl. Side)

O R D E R

This Criminal Original Petition has been filed to transfer the investigation pending in Cr.No.379 of 2021 on the file of the 2nd Respondent police to the 3rd Respondent.



2.Learned counsel for the Petitioner would submit that the Petitioner is engaged in the business of Jewellery under the name and style of KVS Salem Jewellery in Soolagiri. The Petitioner is having property dispute between his elder and younger brothers, due to which the Petitioner was assaulted by his brothers on 10.06.2021 at about 10.30 am. The Petitioner had sustained injuries at his left eyebrow and left hand and he was also admitted in the Government Hospital, Hosur. Though the said incident was reported to the 2nd Respondent, the 2nd Respondent has not registered the case. On the very same day, at about 07.30 pm, when the Petitioner went to meet his friend one Sadhan at DMK party office situated near BDO office, his brothers viz., Ramachari and Srinivasan were came there and started abusing the Petitioner and due to the intervention of the local people, the petitioner was saved. On 11.06.2021, when the Petitioner was at his shop, his brothers and one Naveen kumar along with some other members came to the shop of the Petitioner and proposed for compromising the pending issues. Since the Petitioner refused for compromise, they abused the petitioner and assaulted him with wooden log and due to which the Petitioner sustained injuries and thereby FIR in Crime No.379 of 2021 under Sections 294(b), 323, 324 & 506 (i) of IPC was registered. Once again, after the occurrence, around 10 people came and brutally assaulted the Petitioner's Sons viz., Govardhan & Sunil Kumar. The said incident was videographed in a mobile phone and same was produced before the Respondent Police. However to the shock, the 2nd Respondent by getting a complaint from Ramachari, who is the first accused in Cr.No.379/2021 has registered a case against the Petitioner and his two sons in Cr.No.380/2021.

3.Learned Government Advocate would submit that it is the dispute between the brothers and it is a case in counter. The Respondent is fairly conducting the investigation.

4.At this juncture, learned counsel for the Petitioner would submit that a direction may be issued to any superior officer to monitor the investigation in both the cases and for filing the final report.

5.In view of the above, a direction is issued to the Assistant Superintendent of Police, Hosur to monitor the investigation done by the 2nd Respondent in Cr.Nos.379/2021 & 380/2021 and final report shall be filed as expeditiously as possible.



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6. With the above directions, this Petition is disposed of.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
3. The Inspector of Police,
CBCID,
Krishnagiri District.
4. The Public Prosecutor,
High Court of Madras.

Copy To

The Assistant Superintendent of Police,
Hosur.

+1cc to Mr.M.Mohammed Riyaz, Advocate, S.R.No.14731

Cr1.O.P.No.4936 of 2022

GPL (CO)
RLP (23/03/2022)