



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.98 of 2022

Gurumurthy

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Srirangam Police Station,
Trichy District.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent herein to withdraw the petitioner's complaint dated 10.11.2021 pending before the second respondent and to entrust the same to any other officer not the rank of Deputy Superintendant of Police to investigate the complaint based on petitioner's representation dated 07.12.2021 within stipulated time by this Court.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to direct the first respondent herein to withdraw the petitioner's complaint dated 10.11.2021 pending before the second respondent and to entrust the same to any other officer not below the rank of Deputy Superintendant of Police to investigate the complaint based on petitioner's representation dated 07.12.2021 within stipulated time by this Court.

2.Heard the learned counsel appearing on either side and perused the records.

3.It is seen that one Kannan lodged a complaint before the second respondent police against two persons namely Kumar and Ganesan alleging certain allegations. On the very same set of allegations, the petitioner had also lodged this complaint and the petitioner has been added as one of the witnesses in the investigation. That apart, even before registering the FIR, the complaint lodged by the petitioner before the second respondent cannot be transferred, since for the very same allegations, another complaint was registered on the file of the second respondent.



4. In view of the above observations, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(writs)

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/TRUE COPY/

/ /2022
Sub Assistant Registrar(CS)

To:-

1. The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.
2. The Inspector of Police,
Srirangam Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MK/01.03.2022/2P/4C