



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2022

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P(MD)No.234 of 2022

R.Pandiammal

... Petitioner

Vs.

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Madurai.

2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
CBCID,  
Madurai District.

3.The Inspector of Police,  
Samayanallur Police Station,  
Madurai District.

... Respondents

**Prayer:** This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1<sup>st</sup> respondent to withdraw the investigation and thereby to transfer investigation in Crime No.422 of 2021 from the file of the 3<sup>rd</sup> respondent to the file of the 2<sup>nd</sup> respondent for proper investigation.

For Petitioner : Mr.C.M.Arumugam  
For Respondents : Mr.M.Sakthi Kumar,  
Govt. Advocate (Crl. Side).

**O R D E R**

This criminal original petition has been filed seeking transfer of investigation.

2.The petitioner is the defacto complainant in Crime No.423 of 2021 registered on the file of Samayanallur Police Station. One Eswari has been shown as accused.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) produced a copy of the final report. It is seen that the third respondent has filed a positive final



report arraying the said Eswari as accused in Crime No.423 of 2021. It is for the jurisdictional Magistrate ie., the Judicial Magistrate, Vadipatty to take a call in the matter.

4.Directing the jurisdictional Magistrate to take a call in the matter on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, this criminal original petition is disposed of. The Registry is directed to mark a copy of this order to the learned Judicial Magistrate, Vadipatty.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Judicial Magistrate, Vadipatty

2.The Superintendent of Police,  
Office of the Superintendent of Police,  
Madurai.

3.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
CBCID,  
Madurai District.

4.The Inspector of Police,  
Samayanallur Police Station,  
Madurai District.

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

Crl.O.P(MD)No.234 of 2022  
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MGJ(04.02.2022) 2P 6C