



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.856 of 2022

K.Muniyasami

...Petitioner

Vs.

1.The Inspector of Police
Perunazhi Police Station,
Ramanathapuram District,
(Crime No.305 of 2021)

2.The Inspector of Police,
C.B.C.I.D of Police,
Ramanathapuram District,
Ramanathapuram.

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the first respondent to handover the case to the second respondent herein for fresh investigation, in the case registered in Crime No.305/2021 on 22.12.2021.

For Petitioner : Mr.K.Shanmugaraja
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and learned Additional Government Pleader for the respondents.

2. The petitioner is the defacto complainant in Crime No.305 of 2021 registered on the file of the first respondent.

3. The specific allegation of the petitioner is that his thumb impression was taken and complaint was prepared by the first respondent themselves on their own. According to him, the FIR does not contain his version. Therefore, the petitioner is directed to go to the first respondent tomorrow(02.02.2022) at 5 P.M. and lodge a fresh complaint in writing. Considering the special facts and circumstances, the complaint to be given by the petitioner tomorrow (02.02.2022) shall be treated as a complaint in this case. The petitioner is not an educated person and therefore the complaint



will bear only the thumb impression. Based on the fresh complaint to be given by the petitioner tomorrow(02.02.2022), the first respondent shall file an alteration report before the jurisdictional Magistrate.

4. The Deputy Superintendent of Police, Kamuthi will personally monitor the investigation and final report shall be filed on merits and in accordance with law within a period of three months from the date of receipt of copy of this order. The Criminal Original Petition is disposed of on these terms.

Sd/-

Assistant Registrar (AE)

// 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 Inspector of Police
Perunazhi Police Station,
Ramanathapuram District,

2.The Inspector of Police,
C.B.C.I.D of Police,
Ramanathapuram District,
Ramanathapuram.

3.The Deputy Superintendent of Police,
Kamuthi.

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

+1 CC to M/s.K.SHANMUGA RAJA, Advocate (SR-3790[F] dated 02/02/2022)

Crl.O.P. (MD)No.856 of 2022

01.02.2022

SMV(CO)

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