



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.2317 of 2020

Karunanidhi

...Petitioner

Vs.

1. The District Superintendent of Police
Thanjavur

2. The Inspector of Police
Kabisthalam Police Station
Thanjavur

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to directing the 1st respondent to transfer the investigation in connection with the case in Cr.No.289 of 2019 on the file of the Inspector of Police, Kabisthalam Police Station, Thanjavur District to any other jurisdictional police station.

For Petitioner: M/s.A.Sivasubramanian

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petition has been filed for transfer of investigation in Crime No.289 of 2019, from the file of the second respondent to any other investigation agency.

2.The learned Counsel for the petitioner would submit that based on the complaint lodged by the petitioner, dated 11.12.2019, the second respondent registered the case in Crime No.289 of 2019 for the offences under Sections 294(b), 324 and 506(2) of IPC. Though there are specific averments to attract the offences under Section 307 of IPC, the second respondent did not register any case.

3.The learned Additional Public Prosecutor submitted that almost the respondent police completed the investigation and about to file the final report.

4.In view of the above, change of investigation would affect the entire investigation and as if the prayer sought for in this



petition cannot be granted. Accordingly, the criminal original petition is dismissed. However the petitioner is at liberty to invoke the provision under Sections 216 and 319 Cr.P.C before the trial Court during the trial.

Sd/-

Assistant Registrar (CRL)

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/ /2022

Sub Assistant Registrar

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 District Superintendent of Police,
Thanjavur.
2. The Inspector of Police,
Kabisthalam Police Station,
Thanjavur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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lr

MS/10.03.2022/2P.4C