



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.3376 of 2022

S.Sakthivel

...Petitioner

Vs.

1. The Superintendent of Police
Office of the Superintendent of the Police
Tenkasi District
2. The Inspector of Police
KV Nallur Police Station
Tenkasi District
3. The Sub Inspector of Police
KV Nallur Police Station
Tenkasi District

4. N.Gowtham

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent No. 1 to withdraw the case in Crime No.28 of 2022 from the file of respondent No. 2 and transfer the same to any other competent investigation officer.

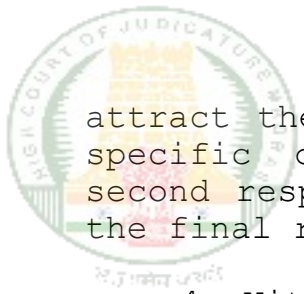
For Petitioner	:	M/s.Malaikani S
For Respondents	:	Mr.R.M.Anbunithi
No.1 to 3		Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the first respondent to withdraw the case in Crime No.28 of 2022 from the file of second respondent and transfer the same to any other competent investigation officer.

2. The learned counsel for the petitioner would submit that though there are specific allegations as against the fourth respondents to attract the offence under Section 307 of IPC, the second respondent failed to register any case as against the fourth respondent.

3. It is seen that the First Information Report came to be registered in the year 2022 and the investigation is still in progress. If at all any incriminating materials are available to



attract the offence under Section 307 of IPC and if there is any specific overt act attributed as against the fourth respondent, the second respondent is directed to consider the same, while filing the final report.

4. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Office of the Superintendent of the Police
Tenkasi District
2. The Inspector of Police
KV Nallur Police Station
Tenkasi District
3. The Sub Inspector of Police
KV Nallur Police Station
Tenkasi District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-6916[F] dated 17/02/2022)
Crl.O.P.(MD) No.3376 of 2022
17.02.2022

RJ(CO)

GC(28.02.2022) 2P 6C