



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

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

Crl.O.P.(MD)No.2838 of 2022

Mohamed Faisal @ Mohamed Faisul Rahuman

... Petitioner/A2

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kottaipattinam,
Pudukottai District.

3. The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.
(Crime No.555 of 2021)

... Respondents/
Complainants

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to transfer the investigation from the 3rd respondent to some other investigation agency in connection with Crime No. 555 of 2021 dated 23.10.2021.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.R.M.Anbunithi
No.1 to 3 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation from the 3rd respondent to some other investigation agency in connection with Crime No. 555 of 2021 dated 23.10.2021.

2. The petitioner is arrayed as A2. Now the petitioner has sought for change of investigation for the reason that the petitioner is no way connected in the present case and he has been falsely implicated in this case. Further he also sustained injuries and he was also admitted in the hospital. After registration of the First Information Report, when the petitioner approached the third respondent, the third respondent without hearing the petitioner failed to consider the representation dated 17.12.2021.



3. The learned Additional Public Prosecutor would submit that the third respondent had already completed the investigation as early as on 25.01.2022 and are about to file the final report.

4. Admittedly the petitioner is the accused and he cannot choose the investigating agency and the request made by the petitioner cannot be considered.

5. Hence the Criminal Original Petition stands dismissed. However the third respondent is directed to file the final report before the concerned jurisdictional magistrate within a period of four weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kottaipattinam,
Pudukottai District.
3. The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2838 of 2022
10.02.2022

MGJ(24.02.2022) 2P 5C