



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD). No.2591 of 2021

J.Saraswathi

... Petitioner

Vs

1.The Superintendent of Police,
Pudukottai,
Pudukkottai District.

2.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

3.The Inspector of Police,
CBCID, Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C., to issue a direction direct to the 1st Respondent to transfer the investigation of Crime No.302 of 2020 from the 2nd Respondent to 3rd Respondent and pass such further or other orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side).

ORDER

This petition has been filed to issue a direction to the first Respondent, to transfer the investigation of Crime No.302 of 2020 from the second Respondent to the third Respondent.

2.On receipt of the complaint lodged by the petitioner, no action has been taken by the second respondent and as such, the petitioner was constrained to file petition under Section 156(3) Cr.P.C, in CrI.M.P.No.820 of 2020, on the file of learned Judicial Magistrate No.II, Pudukottai. As directed by the learned Judicial Magistrate, the second respondent registered a case in Crime No.302 of 2020, for the offences punishable under Sections 406, 417, 380, 294(A) and 506(ii) IPC as against three persons. However, after registration of FIR, the second respondent did not even arrest or secure the accused and it is pending for investigation.

3.The learned Government Advocate (Criminal Side) submitted the status report and it reveals that after registration of FIR against three accused persons, statements were recorded under Section 161(3)



Cr.P.C from the witnesses. Due to spread of covid-19 pandemic, the second respondent did not able to conduct full fledged investigation.

4.Considering the above, after examination of so many witnesses, transfer of investigation would affect the entire investigation done by the second respondent. In view of the above, the second respondent is directed to file final report, within twelve weeks, from the date of receipt of a copy of this order. The first respondent is directed to monitor the investigation done by the second respondent.

5.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Superintendent of Police,
Pudukottai,Pudukkottai District.

2.The Inspector of Police,
Vellanur Police Station,Pudukkottai District.

3.The Inspector of Police,
CBCID, Pudukkottai,Pudukkottai District.

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

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-13365[F] dated 22/03/2022)

CRL OP(MD) . No.2591 of 2021

Date : 18/03/2022