



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4470 of 2022

Aathi

... Petitioner/
Defacto Complainant

Vs.

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

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

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to withdraw the Crime No.201 of 2021 from the file of the second respondent police and transfer the same to the third respondent police or some other competent investigating agency for fresh investigation.

For Petitioner : Mr.V.Malaiyiendran

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to withdraw the Crime No.201 of 2021 from the file of the second respondent police and transfer the same to the third respondent police or some other competent investigating agency for fresh investigation.

2. The learned counsel appearing for the petitioner would submit that though FIR has been registered as against the accused persons, the second respondent did not take any steps to secure them and the investigation is also now pending. The second respondent is



hand and glove with the accused persons and failed to secure them for investigation.

3. The learned Additional Public Prosecutor (Criminal Side) submitted that now the entire investigation was completed and also final report is ready to file before the concerned Judicial Magistrate Court. The accused persons were arrested and let on bail by the respondent since the offences under Sections 448, 294(b) and 506(i) IPC. In these circumstances, if the transfer of investigation from the file of the second respondent is ordered, the entire investigation will be affected. Therefore, the relief sought cannot be granted. However, the second respondent is directed to file final report within a period of four weeks from the date of receipt of copy of this order. The first respondent is directed to monitor the investigation done by the second respondent and ensure that the second respondent shall comply with the order passed by this Court.

4. With this direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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,
Ramanathapuram District, Ramanathapuram.
2. The Inspector of Police,
Sayalkudi Police Station, Ramanathapuram District.
3. The Inspector of Police,
CBCID Police, Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P(MD)No.4470 of 2022
09.03.2022

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