



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM:

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

Crl.O.P.(MD) No.5500 of 2022

P.Muthumari

...Petitioner

Vs.

1. State through its,
The Superintendent of Police,
Sivagangai District,
Sivagangai.

2. State through
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

3. The Inspector of Police,
District Crime Branch,
Sivagangai District,
Sivagangai.

...Respondents

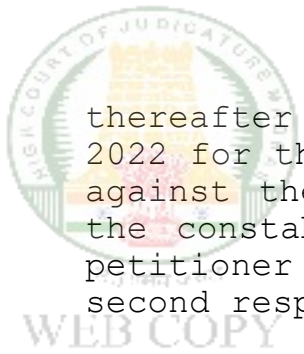
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the R1 to withdraw the investigation in Cr.No.31/2022 on the file of the R2 and transfer the same to R3 for conduct the fair investigation.

For Petitioner : Mr.P.Aju Tagore
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 investigation in Cr.No.31 of 2022 on the file of the second respondent and transfer the same to the third respondent fto conduct the fair investigation.

2. The case of the petitioner is that on 01.09.2021 the accused persons entered into house of the petitioner, scolded her in filthy language and threatened her with dire consequences with deadly weapons . They also demanded exorbitant interest from the petitioner . The entire occurrence was videographed by the petitioner's son. On the next day on 02.09.2021 when the petitioner approached the second respondent and lodged complaint she was not given any CSR. Therefore the petitioner submitted detailed representation before the first respondent on 18.11.2021. Even today no action has been taken by the respondents, hence the petitioner was constrained to file a petition under Section 156(3) of Cr.P.C before the learned District Munsif cum Judicial Magistrate, Thiruppuvanam. Only



thereafter the second respondent registered a case in Crime No.31 of 2022 for the offences under Sections 147,148,294(b), 506(i) of IPC as against the accused persons. The first accused is none other than the constable working under the second respondent, therefore the petitioner will not get fair investigation from the file of the second respondent.

3. In view of the above, the investigation in Crime No.31 of 2022 pending on the file of the second respondent is hereby withdrawn and transferred to the file of the third respondent for investigation. On receipt of the entire case diary in Crime No. 31 of 2022, from the file of the second respondent, the third respondent is directed to complete the investigation and file the final report as expeditiously as possible.

4. In the result, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Sivagangai District, Sivagangai.
2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
3. The Inspector of Police,
District Crime Branch,
Sivagangai District, Sivagangai.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.AJU TAGORE, Advocate (SR-14587[F] dated 25/03/2022)

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