



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

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

CRL OP(MD) . No.5764 of 2020

and

CrI.M.P(MD) .No.3140 of 2020

WEB COPY

T.Kalaiselwei

....Petitioner

Vs

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

2.The Inspector of Police,
Ammayanayakkanur Police Station,
Ammayanayakkanur,
Kodai Road,
Dindigul District.

....Respondents

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to transfer the investigation of the aforesaid case in Crime No.250 of 2019 on the file of the 2nd respondent to some other competent police officer by considering the complaint of the petitioner dated 21.11.2019 and to file a final report.

For Petitioner : Mr.C.M.Arumugam

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

ORDER

The Criminal Original Petition has been filed to direct the first respondent to transfer the investigation of the aforesaid case in Crime No.250 of 2019 on the file of the 2nd respondent to some other competent police officer by considering the complaint of the petitioner dated 21.11.2019 and to file a final report.

2. The case of the prosecution is that on 16.09.2019 at about 9.30, while her husband returning home, a auto bearing registration No.TN-57-BZ-1940 came from the opposite direction in a rash and negligent manner and dashed against him. As a result of which he had sustained grievous injuries and died. The petitioner lodged a complaint before the second respondent police and registered a case in Crime No.250 of 2019.



3. The learned Government Advocate(Crl.side) submitted the status report filed by the second respondent before this Court, wherein it is stated that the auto driver suddenly stooped the auto in the road and due to which her husband also put sudden break and fell down from the two wheeler and caused head injury and died. He further submitted that the a major part of the investigation has been completed.

4.This Court feels that there is no illegality in the investigation committed by the second respondent and as such, the transfer of investigation is not possible in this case. The second respondent is also directed to complete the investigation and file a final report before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order.

5.In the result, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TTA

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Ammayanayakkanur Police Station,
Ammayanayakkanur,
Kodai Road,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-15177[F] dated 29/03/2022)

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Date : 28/03/2022