



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:20/04/2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)No.9029 of 2019

Sugumar : Petitioner/De-facto Complainant

Vs.

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

2.The Deputy Superintendent of Police,
Amman Pettai Sub Division,
Thanjavur District.

3.The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District,
(Crime No.76 of 2019)

: Respondents / Respondents

Prayer: Criminal Original Petitions have been filed under section 482 of the Criminal Procedure Code, to transfer the investigation in Crime No.76 of 2019, dated 24/05/2019 on the file of the 3rd respondent Police to any other Superior Officer within the District on the basis of the representation, dated 27/05/2019 sent by the petitioner to the 1st respondent herein and other higher authorities.

For Petitioner : Mr.K.Veilmuthu

For Respondents : Mr.SS.Madhavan
Government Advocate
(Criminal side)

O R D E R

This petition has been filed seeking for transfer the investigation in Crime No.76 of 2019, dated 24/05/2019 on the file of the 3rd respondent Police to any other Superior Officer within the District on the basis of the representation, dated 27/05/2019 sent by the petitioner to the respondent herein and other higher authorities.



2. Heard both sides.

3. According to the petitioner, repeated direction was given by this court to record the further statement of the petitioner and take further action in this matter.

4. Now the learned Government Advocate (Criminal side) has submitted that now the final report has been filed before the Judicial Magistrate, Theni, for the offences punishable under sections 341, 294(b), 506(ii) and 326 IPC. On going through the final report, the petitioner was not satisfied. He would submit that it is a clear case of attempt of murder.

5. Reading of the FIR shows that it is a murder retaliation attempt upon the petitioner. Because the petitioner said to have assaulted the brother of the accused. When the petitioner was released on bail, this attempt of his life alleged to have been made.

6. So in the light of the above situation, the petitioner can give evidence before the concerned court at the time of trial, so that the trial court may take further action in this regard. Such a liberty is always available to the petitioner.

7. Now the final report is also made ready and filed before the concerned court, the transfer of investigation at this length of time may not serve any purpose and may not be proper also. Absolutely, I find no *mala fide* intention or prejudice in the mind of the Investigating Officer.

8. With the above said liberty, this criminal original petition is **dismissed**.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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**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,
Thanjavur District,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Amman Pettai Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.OP (MD) No.9029 of 2019

20.04.2022

kg (CO)

TR(10.06.2022) 3P 5C