



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

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

Crl.O.P.(MD) No.8365 of 2022

K. Thangadurai

...Petitioner/

Younger brother of Deceased

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Dindigul District.
2. The Deputy Superintendent of Police,
Battalagundu,
Dindigul District.
3. The Inspector of Police,
Battalagundu Police Station,
Dindigul District.
(Crime No.79 of 2022)
4. The Superintendent of Police,
CBCID, Dindigul,
Dindigul District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation in Crime No.79 of 2022 pending on the file of the third respondent police to the fourth respondent and direct him to nominate an efficient officer to investigate the case.

For Petitioner : Mr. S. Muthukumar
For Respondents : Mr. R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to transfer the investigation in Crime No.79 of 2022 pending on the file of the third respondent police to the fourth respondent and direct him to nominate an efficient officer to investigate the case.

2. The learned Additional Public Prosecutor would submit that the respondent police completed investigation in Crime No.79 of 2022 and also filed final report before the learned Judicial Magistrate, Nilakottai and the same has been taken cognizance in PRC No.05 of 2022 and as of now investigation is pending on the file of the third respondent.



3. The learned counsel for the petitioner would submit that there are more number of accused and inspite of filing charge sheet as against all the accused persons the respondent police has filed final report as against two accused persons only.

4. Hence the Criminal original petition stands dismissed. However the petitioner is at liberty to invoke the provision under Section 319 of Cr.P.C before the trial Court during trial.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Dindigul District.
2. The Deputy Superintendent of Police,
Battalagundu,
Dindigul District.
3. The Inspector of Police,
Battalagundu Police Station,
Dindigul District.
4. The Superintendent of Police,
CBCID, Dindigul,
Dindigul District.
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S. MUTHUKUMAR, Advocate (SR-22457[F]
dated 29/04/2022)

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