



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10492 of 2022

Sonaidevan

... Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram.

3.The Inspector of Police,
CBCID,
Ramanathapuram.

4.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram.
(Cr.No.157 of 2022)

... Respondent Nos.1 to 4

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the first respondent to withdraw the case in Crime No.157 of 2022 from the file of the 4th respondent and transfer and entrust the case to the file of the 3rd respondent with a direction to complete the investigation within the period that may be stipulated by this Court.

For Petitioner : Mr.T.Udhaya Jeeva

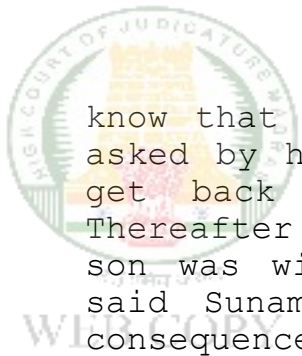
For Respondents : Mr.R.Sureshkumar

Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the first respondent to withdraw the case in Crime No.157 of 2022 from the file of the 4th respondent and transfer and entrust the case to the file of the 3rd respondent with a direction to complete the investigation within the period that may be stipulated by this Court.

2.The learned counsel for the petitioner submitted that the petitioner is a TNSTC driver and now he retired. The petitioner's son completed DME and working as acting driver. While so, one year ago, the petitioner's son bought a Innova Car from one Sunami Sethupathi for a sum of Rs.2,50,000/-. Subsequently, he came to



know that the Car sold by him is a theft car. When the same was asked by his son, the said Sunami Sethupathi stated that he would get back the car and assured to return the money shortly. Thereafter on 05.05.2022 at about 8.30 p.m., when the petitioner's son was with his friends near Krishnaraja Mahal, Paramakudi, the said Sunami Sethupathi called him and threatened him with dire consequences. Hence, the petitioner gave a complaint before the third respondent police and the respondent police has registered the case in Cr.No.157 of 2022 for the offence under Sections 294(b), 324, 341, 307 and 506(ii) IPC. Though the accused continuously threatened the petitioner and the accused being a habitual offender having more than seven cases in the same police station, the respondent police have not taken any step to secure the accused. In these circumstances, the petitioner gave an application to the first respondent to transfer the investigation from the file of the 4th respondent to the file of the 3rd respondent.

3.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the accused absconded and they are making steps to secure as early.

4. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent police.

5.According to the petitioner, the accused continuously threatened the petitioner and further admitted that the accused is having seven criminal cases in the same police station. In these circumstances, the first respondent shall consider the representation of the petitioner to take suitable decision thereon.

6.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

vsd

To

1.The Superintendent of Police,
Ramanathapuram District.



2.The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram.

3.The Inspector of Police,
CBCID, Ramanathapuram.

4.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. UDHAYA JEEVA, Advocate (SR-25803[F]
dated 15/06/2022)

ORDER IN
CRL.O.P (MD) No.10492 of 2022
14.06.2022

KG(CO)
GC(28.06.2022) 3P 7C