



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 31.03.2022**

**CORAM:**

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

**CRL OP(MD) . No. 15822 of 2020**

T.Rajkumar

....Petitioner

Vs

1. The Superintendent of Police,  
Office of Superintendent of Police,  
Thoothukudi,  
Thoothukudi District.

2.The State Rep by  
The Inspector of Police,  
Central Police Station (L&O),  
Thoothukudi,  
Thoothukudi District.

....Respondents

**PRAYER :-** These Criminal Original Petitions filed under Section 482 Cr.P.C.to directing the 1<sup>st</sup> respondent to pass order for change of investigation for the complaint of the petitioner's dated 22.11.2019 pending on the file of the 2<sup>nd</sup> respondent to any other agency, within the period as stipulated by this court.

For Petitioner : Mr.Sulthan Bashaj  
(Ajmal Associates)

For Respondents : Mr.Sanjai Gandhi  
Government Advocate (Criminal Side)

**ORDER**

This Criminal Original Petition has been filed to direct the 1<sup>st</sup> respondent to pass order for change of investigation for the complaint of the petitioner's dated 22.11.2019 pending on the file of the 2<sup>nd</sup> respondent to any other agency.

2. When the matter is taken up for hearing, the learned Government Advocate(Crl.Side) submitted that based upon the complaint given by the petitioner dated 22.11.2019, the second respondent police conducted the enquiry in C.S.R.No.220 of 2020 and the same was closed on 20.10.2020, directing the parties to approach the concerned Court for proper relief.

3. After alleged complaint, the second respondent police has not registered FIR so far. Before registering the FIR, the transfer of investigation does not arise.



4. In view of the same, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to file a fresh complaint.

WEB COPY

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TTA

**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,  
Office of Superintendent of Police,  
Thoothukudi,  
Thoothukudi District.
2. The Inspector of Police,  
Central Police Station (L&O),  
Thoothukudi,  
Thoothukudi District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-16016[F]  
dated 01/04/2022 )

ORDER  
IN

**CRL OP(MD) . No.15822 of 2020**

Date : 31/03/2022

SG(CO)

GC(04.05.2022) 2P 5C