



**Crl.O.P.(MD) No.15706 of 2022**

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

WEB COPY

DATED: 06.09.2022

CORAM

**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

**CRL.O.P (MD) No.15706 of 2022**

Muthu

...Petitioner

VS

1. The Superintendent of Police  
Madurai, Madurai District

2. The Inspector of Police  
All Women Police Station  
Melur, Madurai District

3. The Sub Inspector of Police  
Keelavalavur Police Station  
Melur, Madurai District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the first Respondent to change the appointing any other suitable Investigation Officer not below the rank of the Deputy Superintendent of Police and file a final report in Cr.No.311 of 2021 pending before the second Respondent.



WEB COPY



**Crl.O.P.(MD) No.15706 of 2022**

For Petitioner : Mr.Na.Palaniyandi  
For Respondents : Mr.A.Albert James  
Government Advocate(Crl.Side)

### ORDER

This Criminal Original Petition has been filed to direct the first Respondent to change and appoint any other suitable Investigation Officer not below the rank of the Deputy Superintendent of Police and file a final report in Cr.No.311 of 2021 pending before the second Respondent.

2. The learned Counsel for the Petitioner would submit that the petition has been filed seeking direction against the respondents 1 to 3 to proceed with the investigation and lay the final report before the concerned Court.

3. The learned Government Advocate(Crl.Side) would submit that earlier the same petitioner had filed a petition in Crl.O.P(MD) No.968 of 2022 regarding the same Crime number and the same was dismissed on 21.01.2022, wherein it was observed as follows:



**Crl.O.P.(MD) No.15706 of 2022**

*“ 3.When the matter was taken up for hearing, the learned counsel for the petitioner relied on the interim order dated 10.11.2021 made in Crl.O.P.(MD)No.17354 of 2021. Thereupon, I wanted to know as to what happened to the final order. It was thereafter pointed by the learned Government Advocate (Crl.Side) that on 15.11.2021, the said criminal original petition was dismissed as withdrawn. The petitioner herein namely Mr.Muthu was the petitioner in the said criminal original petition also. When a matter had already been concluded, it is the duty of the petitioner to enclose the final order passed therein. In this case, the interim order alone has been enclosed. The petitioner has not given correct instruction to the counsel. Therefore, I decline to grant relief. The criminal original petition is dismissed”.*

4. The learned Government Advocate(Crl.Side) would submit that some of the witnesses have been examined and statement have also been recorded and there is no merits in the petition and seeks to dismiss the same.



**Crl.O.P.(MD) No.15706 of 2022**

5. Recording the above said submission of the learned Government

Advocate(Crl.Side) this petition is closed.

06.09.2022

Internet: Yes./No

Index: Yes/no

aav

To

1. The Superintendent of Police  
Madurai, Madurai District
2. The Inspector of Police  
All Women Police Station  
Melur, Madurai District
3. The Sub Inspector of Police  
Keelavalavur Police Station  
Melur, Madurai District
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



**Crl.O.P.(MD) No.15706 of 2022**

**SATHI KUMAR SUKUMARA KURUP, J.**

aav

CRL.O.P (MD) No.15706 of 2022

06.09.2022