



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)Nos.20839 and 20851 of 2021

Murugan ... Petitioner in Crl.O.P.(MD)No.20839 of 2021
A.Ashok ... Petitioner in Crl.O.P.(MD)No.20851 of 2021
Vs.

- 1.The Superintendant of Police,
Office of the District Superintendant of Police,
Sivagangai,
Sivagangai District.
- 2.The Deputy Superintendant of Police,
Office of the Deputy Superintendant of Police,
Devakottai,
Sivagangai District.
- 3.The Sub Inspector of Police,
Aravayal Police Station,
Sivagangai District. ... Respondents in both Crl.O.Ps

Common Prayer: These Criminal Original Petitions are filed under Section 482 of Cr.P.C., to transfer the investigation in Crime Nos.105 and 110 of 2021 respectively on the file of the 3rd respondent to any other investigating authority within the time stipulated.

(In both Crl.O.Ps)

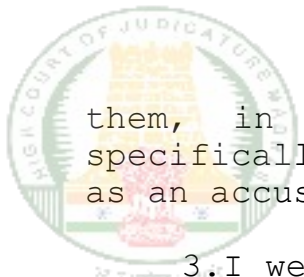
For Petitioner : Mr.K.Rajeshwaran

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor.

C O M M O N O R D E R

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondents.

2.The petitioners want transfer of investigation. According to
<https://hcservices.ecourts.gov.in/hcservices/>



them, in both the FIRs, even though one Rajkumar has been specifically mentioned in the complaint, he had not been implicated as an accused.

3.I went through the contents of the complaint. Of course, the petitioners herein do point a needle of suspicion at Rajkumar. But then, the averments in the complaint by themselves are not sufficient to implicate him in the very first instance. Only if during the course of investigation, either from confession or on the basis of some other material, the involvement of Rajkumar is indicated, he can be arrayed as accused and not otherwise. The averments set out in these criminal original petitions do not persuade me to direct transfer of investigation. However, taking note of overall facts and circumstances, the investigation officer is directed to file the final report in both the FIRs on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.

4.With this direction, these criminal original petitions are disposed of.

Sd/-

Assistant Registrar (W)

// 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,
Office of the District Superintendent of Police,
Sivagangai, Sivagangai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Devakottai, Sivagangai District.
- 3.The Sub Inspector of Police,
Aravayal Police Station,
Sivagangai District.



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

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-89[F] dated 04/01/2022)

Cr1.O.P(MD)Nos.20839 and 20851 of 2021
03.01.2022

RD(19.01.2022) 3P 6C