



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.20462 of 2021

G.Sahaya Antony

... Petitioner

Vs.

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. State rep. By,
The Inspector of Police,
Crime Branch Criminal
Investigation Department (CBCID),
No.7C, Kurinji Street, Ramanputhur,
Nagercoil,
Kanyakumari District.

3. State rep. By,
The Sub Inspector of Police,
Thiruvattar police station,
Kanyakumari District.
(Crime No.484 of 2020)

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the first respondent herein to transfer the investigation in Crime No.484 of 2020 from the file of the third respondent herein to the file of the second respondent herein and consequently direct the second respondent herein to complete the investigation and to file final report within a time stipulated by this Court.

For Petitioner : Mr.Shaji Chellan,
for Mr.C.Kishore.

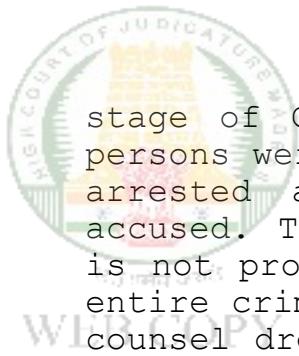
For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

* * *

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner's wife is the defacto complainant in Crime No.484 of 2020 registered on the file of Thiruvattar police station. The petitioner was brutally attacked on 07.10.2020 and he was in the



stage of Coma for several days. In this regard, as many as nine persons were arrested. Based on the confession taken from one of the arrested accused, one other person has been implicated as an accused. The grievance of the petitioner is that the investigation is not proceeding on the right lines and that the brain behind the entire crime has not been arrested. In this regard, the petitioner's counsel drew my attention to the earlier status report. The present investigation officer is taking contra stand.

3. I consciously refrain from going into the said controversy. In order to instil confidence in the mind of the victim and in the interest of justice, the investigation is withdrawn from the file of the third respondent and entrusted to the second respondent. The competent authority shall issue appropriate proceedings at the earliest. The second respondent shall conclude the investigation and file final report within a period of three months from the date of receipt of a copy of this order.

4. This criminal original petition is allowed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Crime Branch Criminal
Investigation Department (CBCID),
No.7C, Kurinji Street, Ramanputhur,
Nagercoil, Kanyakumari District.
3. The Sub Inspector of Police,
Thiruvattar police station,
Kanyakumari District.



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

+1 CC to M/s.C.KISHORE, Advocate (SR-2340[F] dated 25/01/2022)

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24.01.2022

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