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Crl.O.P.(MD) No.19844of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2022

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.19844of 2022

Karthik

...Petitioner

VS

1. The Superintendent of Police
Office of the Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police
Paramakudi Sub Division
Ramanathapuram District
3. The Inspector of Police
Paramakudi Taluk Police Station,
Ramanathapuram District.
4. The Inspector of Police
CBCID Wing,
Ramanathapuram District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to transfer the investigation in Crime No.203 of 2022 from the file of the 3rd Respondent to the file of the 4th Respondent and consequently direct the 4th Respondent to conduct proper investigation in an expeditious



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manner and to file final report within the stipulated period as prescribed by this Court.

For Petitioner : Mr.R.L.Dhilipan Pandian
For Respondents: Mr. R. Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed to transfer the investigation in Crime No.203 of 2022 from the file of the 3rd Respondent to the file of the 4th Respondent and consequently direct the 4th Respondent to conduct proper investigation in an expeditious manner and to file final report within the stipulated period as prescribed by this Court.

2. It is the contention of the learned Counsel for the Petitioner that the First Information Report in Crime No.203 of 2022 on the file of the Paramakudi Taluk Police Station has been registered against the Petitioner for the offences under Sections 147,148,341,294(b),427,307,506(2) ,109 of IPC. Subsequently another First Information Report had been registered on the same day in Crime No.160 of 2022 on the file of the Nainarkovil Police Station for the offences under Sections 147,148,447,294(b), 506(2) of IPC. As per the contents of the First Information Report, the Petitioner is alleged



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to have present in the scene of occurrence. It is the further submission of the learned Counsel for the Petitioner that the Petitioner was undergoing treatment at Arokiya Hospital. Therefore this is a put up case. Therefore he seeks direction to direct the Respondent police to conduct fair investigation.

3. The learned Additional Public Prosecutor objected stating that the Petitioner himself is facing 11 criminal cases against him. Therefore the Petitioner cannot be permitted to argue the case for further investigation.

4. In view of the same, the Superintendent of Police, Ramanathapuram District is directed to nominate a Senior Officer not below the rank of the Deputy Superintendent of Police, to supervise the investigation conducted by the third Respondent.

5. If the third Respondent had not conducted the investigation fairly, the Superintendent of Police, Ramanathapuram District shall pass appropriate orders to withdraw the CD file from the file of the third Respondent and hand over the same to the officer of competency, fair and skill for investigation.



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6. With the above direction, this Criminal Original Petition stands closed.

28.11.2022

Internet:Yes./No

Index:Yes/no

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



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SATHI KUMAR SUKUMARA KURUP, J.

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