



Crl.O.P.No.23480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23480 of 2023

K.Arthanari

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police
Dharmapuri.

2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Pennagaram,
Dharmapuri District.

3.The Inspector of Police,
Eriyur Police Station,
Eriyur,
Pennagaram Taluk,
Dharmapuri District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct 1st respondent to transfer the investigation in FIR.No.118/2023 pending on the file of the 3rd respondent to any other investigation agency in the interest of justice.

For Petitioner : Mr.C.Palanisamy

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



ORDER

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This Criminal Original Petition is filed for transfer of investigation pending on the file of the 3rd respondent to any other investigation agency.

2. According to the petitioner, who is the defacto complainant, the accused used deadly weapon and attempted to murder him. However, the FIR registered for offence under Sections 294(b), 323, 324 & 506 (ii) IPC and not for the graver offence of attempt to murder.

3. The learned counsel appearing for the petitioner submitted that due to brutal attack, the defacto complainant sustained fracture in the skull L3, L4 & L5 and he was taken treatment in the ICU to save his life. While so, the police has not taken up the investigation in the right direction and therefore, change of Investigation Agency is necessary.

4. The learned Government Advocate (Crl.Side) appearing for the State submitted that the wound certificate is yet to be collected from the hospital and after collecting the wound certificate, necessary alteration of



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the charge will be made and final report will be filed within a period of two months.

5. Recording the same, this Criminal Original Petition is disposed of with a direction to the Investigating Officer to complete the investigation and file final report based on the wound certificate within a period of two months. However, there is no necessity for change of Investigating Agency.

13.10.2023

Index : Yes/No
Neutral Citation : Yes/No
rpl

To

1.The Superintendent of Police,
O/o.Superintendent of Police
Dharmapuri.

2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Pennagaram,
Dharmapuri District.

3.The Inspector of Police,
Eriyur Police Station,
Eriyur,
Pennagaram Taluk, Dharmapuri District.

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4.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

rpl

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