



Crl.O.P.(MD)No.1994 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1994 of 2023

and

Crl.M.P.(MD)No.1738 of 2023

Ponmalar

... Petitioner

Vs.

1.The Director General of Police,
Office of Director General of Police,
Kamarajar Salai,
Chennai – 600 004.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar,
Virudhunagar District – 626 002.

3.The Superintendent of Police,
Crime Branch Criminal Investigation Department (CBCID),
South Zone,
No.220 Pantheon Road,
Egmore,
Chennai – 600 008.

4.The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.481 of 2022)

... Respondents



Crl.O.P.(MD)No.1994 of 2023

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation to the third respondent office for conducting fair and impartial investigation in Crime No.481 of 2022 on the file of the fourth respondent.

For Petitioner : M/s.S.Anusha
for Mr.R.Karunanidhi

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to transfer the investigation to the third respondent for conducting fair and impartial investigation in Crime No. 481 of 2022 on the file of the fourth respondent.

2. The learned Additional Public Prosecutor appearing for the respondents would submit that a case and case in counter came to be registered in Crime No.481 of 2022 for the offences under Sections 323, 324 and 506(1) IPC and other case in Crime No.482 of 2022 for the offences under Sections 323, 324 and 506(1) IPC and Section 4 of TN Prohibition of Harassment of Women Act. He would further submit that



Crl.O.P.(MD)No.1994 of 2023

there was a family quarrel and on that basis, FIRs came to be registered, that the victim in the present case has been shown as the first accused in the counter case, that the petitioner was admitted in the Government Hospital, Sivakasi and that when the petitioner was told to go to the higher centre for further investigation, he had left the hospital against the advise.

3. Recording the submission made by the learned Additional Public Prosecutor, the fourth respondent is directed to proceed with the investigation in both the cases in Crime Nos.481 and 482 of 2022 in accordance with law.

4. With the above direction, this Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed.

02.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



Crl.O.P.(MD)No.1994 of 2023

K.MURALI SHANKAR,J.

WEB COPY

csn

To

- 1.The Director General of Police,
Office of Director General of Police,
Kamarajar Salai,
Chennai – 600 004.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar,
Virudhunagar District – 626 002.
- 3.The Superintendent of Police,
Crime Branch Criminal Investigation Department (CBCID),
South Zone,
No.220 Pantheon Road,
Egmore,
Chennai – 600 008.
- 4.The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.1994 of 2023
and
Crl.M.P.(MD)No.1738 of 2023

Dated: 02.02.2023