



CRL.O.P.(MD)No.2856 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.2856 of 2023

Nondisamy

... Petitioner

Vs

- 1.The Commissioner of Police,
Commissioner of Police Office,
Pudukkottai Main Road,
Trichy District.
- 2.The Assistant Commissioner of Police,
A.C.Office Cantonment (Law and Order)
Cantonment,
Trichy District.
- 3.The Inspector of Police,
Edamalaipattipudur Police Station,
Edamalaipattipudur,
Trichy District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to transfer the petitioner's complaint dated 04.08.2022 on the file of the third respondent herein to second respondent herein or any other investigation officer not less than cadre of Assistant Commissioner of Police, Trichy District for free and fair investigation.



WEB COPY



CRL.O.P.(MD)No.2856 of 2023

For Petitioner : Mr.R.Sakthivel

For R-1 to R-3 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition is filed seeking for a direction to respondent No.3 to transfer the investigation basing on the complaint dated 04.08.2022 from third respondent to second respondent or any other Police.

2. It is submitted by learned counsel for the petitioner that the unofficial respondent has been collecting exorbitant interest in respect of the money borrowed from him and that he has criminally intimidated, thereby, though complaint is filed on 12.07.2023, no action was initiated. It is submitted that the petitioner has sent one more complaint dated 04.08.2022 and in spite of that, there was no action from the respondent Police, thereby, sought for transferring the investigation from one Police Officer to other.

3. Learned Government Advocate (Criminal Side) on the other hand, submits that, on a complaint given by the petitioner, Police have conducted an enquiry in which the petitioner and the rival parties have appeared before the Police and they have given an undertaking that he will not threaten the petitioner and accordingly, the complaint filed by the petitioner was closed



CRL.O.P.(MD)No.2856 of 2023

on 25.07.2023 and a copy of closure report was also handed over to the learned counsel for the petitioner in the open Court by learned Government Advocate (Criminal Side).

4. Since the complaint has already been closed by respondent No.2, no further directions can be given. Hence, this petition is required to be dismissed as infructuous. The petitioner is at liberty to approach the appropriate Criminal Court and file a complaint, if he is advised so.

25.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

tsg
To

- 1.The Commissioner of Police,
Commissioner of Police Office,
Pudukkottai Main Road,
Trichy District.
- 2.The Assistant Commissioner of Police,
A.C.Office Cantonment (Law and Order)
Cantonment,
Trichy District.
- 3.The Inspector of Police,
Edamalaipattipudur Police Station,
Edamalaipattipudur,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

<https://www.mhc.tn.gov.in/judic>



WEB COPY



CRL.O.P.(MD)No.2856 of 2023

DR.D.NAGARJUN, J.

tsg

CRL.O.P.(MD)No.2856 of 2023

25.07.2023