



Crl.O.P.(MD)No.4235 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.4235 of 2023

P.Thanga Pandian

...Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
(Crime No.50 of 2022)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the investigation pending on the file of the 2nd respondent Police Station in the Crime No.50/2022 and entrust the same to any other competent Officer under the command and control of the 1st respondent to investigate in accordance with law and in the interest of justice.

For Petitioner : Mr.Rahul.A

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to withdraw the investigation pending on the file of the 2nd respondent Police Station in the Crime No.50/2022 and entrust the same to any other competent Officer under the command and control of the 1st respondent to investigate in accordance with law and in the interest of justice.

2. Now grievance of the petitioner is that he is working as driver in TNSSTC and because of the pendency of the case, he is unable to renew his driving license and extra fact.

3. The learned Additional Public Prosecutor would submit that during the course of investigation, it was found that only because of the rash and negligent driving on the part of the petitioner, the accident took place. In spite of the issue of summons to the petitioner, he did not appear.



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4. The petitioner is an accused in the above said crime. He cannot seek any transfer of investigation, stating that one baskaran is personally interested in the above said matter. It cannot be accepted without any basis. The petitioner has to appear before the respondent and co-operate with them for further process of investigation. Since the First Information Report has been registered in 2022, still which is pending, the offences are under sections 279, 337 and 338 of IPC.

5. In view of the above said development, let the final report be filed within two months from the date of appearance of the petitioner, after completing investigation before the respondent. With the above said direction, this Criminal Original Petition is disposed of.

06.03.2023

NCC	:	Yes / No
Index	:	Yes / No
Internet	:	Yes / No
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G.ILANGOVAN,J.

Indu

To

- 1.The Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
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