



Crl.O.P.(MD)No.3977 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.3977 of 2023

K.Manikandan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kamuthi, Ramanathapuram.

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(In Crime No.44/2023)

4.The Inspector of Police,
CBCID, Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to transfer the investigation in Crime No.44 of 2023 on the file of the third respondent/Kamuthi Police Station to the fourth respondent/CBCID or some other independent investigation agencies within the time stipulated by this Court.



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For Petitioner : Mr.S.Ramasundarvijayaraj
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 in Crime No.44 of 2023 on the file of the third respondent/Kamuthi Police Station to the fourth respondent/CBCID or some other independent investigation agencies within the time stipulated by this Court.

2.The learned Additional Public Prosecutor appearing for the petitioner would submit that the third respondent police registered a case in Cr.No.19 of 2023 for the offence under Sections 147, 148, 294(b), 323 and 506(i) IPC as against the petitioner and he got anticipatory bail on condition to appear before the third respondent daily.

3.The learned counsel appearing for the petitioner would submit that when the petitioner had appeared on 14.02.2023 to comply the order



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of this Court, by keeping him in the Police Station till evening, they have registered the present case in Cr.No.44 of 2023 as if the petitioner was arrested in the Kamuthi bus stand. He would further submit that the case in Cr.No.19 of 2023 is being investigated by Special Sub Inspector one Mr.Prakash and the present case in Cr.No.44 of 2023 is being investigated by the Sub Inspector of Police attached to the very same Police Station. Hence, he prayed for transferring the case.

4.Considering the above submission and also taking note of the facts and circumstances, the first respondent is directed to appoint any other Inspector of Police other than Kamuthi Police Station to proceed with the investigation and the second respondent is directed to monitor the same.

5.With the above directions, this criminal original petition stands disposed of.

02.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

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K.MURALI SHANKAR,J.

gns

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kamuthi, Ramanathapuram.
- 3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 4.The Inspector of Police,
CBCID, Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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