



Crl.O.P(MD)No.4049 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2023

CORAM:

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

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K.Vellaisamy

.. Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Deputy Superintendent of Police,
Keelaikarai,
Ramanathapuram District.
3. The Inspector of Police,
Ervadi Dharga Police Station,
Ramanathapuram District.
(Crime No.306/2020)
4. The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the Investigation in Crime No.306/2020



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pending on the file of the 3rd Respondent to 4th Respondent.

For Petitioner : Mr.C.Susi Kumar

For Respondents : Mr.M.Muthumanikkam,
Government Advocate(Criminal Side)

ORDER

This petition has been filed to transfer the Investigation in Crime No.306/2020 pending on the file of the 3rd respondent to 4th respondent police registered for the offence under Sections 448, 294(b), 324 and 506(ii) IPC

2. The case of the prosecution is that the petitioner is a senior citizen aged about 75 years. On 28.11.2020, when the petitioner was chatting with his friend namely, Thanikodi, at that time, due to previous enmity, one Thirumurugan along with one Muthusamy trespassed into the said Thanikodi's house with deadly weapons and abused them using filthy language and attacked the petitioner using knife, due to which the petitioner sustained cut injury in his hand. Both of the accused tried to



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murder the petitioner, but on hearing the cry of the petitioner, the neighbours came and rescued him and admitted in the Government Hospital at Ramanathapuram and he was taken treatment as inpatient from 28.10.2020 and 01.12.2020. However, they made a life threat to the petitioner. After receiving the complaint, the 3rd respondent released the accused persons without registering any case, when the relatives of the petitioner agitated to protest against the inaction, thereafter the 3rd respondent registered the case in Crime No.306 of 2020 for the offence under Sections 448, 294(b), 324 and 506(ii) IPC instead of Section 307 IPC. Being aggrieved by the investigation conducted by the 3rd respondent, the petitioner made a representation to the 1st and 2nd respondent to transfer the case to some other police officer for conducting fair investigation. But till date no action was taken on the said representation. Hence, this petition.

3. The learned Government Advocate (Criminal Side) submitted that after completion of investigation final report was filed before the learned Judicial Magistrate No.II, Ramanathapuram, under Sections 448,



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294(b), 324 and 506(ii) IPC and the same was taken on file in C.C.No. 2591 of 2023.

4. Recording the said submission made by the learned Government Advocate (Criminal side), this criminal original petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

06.04.2023

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
PJJ

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Deputy Superintendent of Police,
Keelaikarai,
Ramanathapuram District.

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3. The Inspector of Police,
Ervadi Dharga Police Station,
Ramanathapuram District.
4. The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

PJL

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