



Crl.O.P.(MD)No.4049 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.4049 of 2023

M.Sasikumar

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul Town South Police Station,
Dindigul.

2.The Inspector of Police,
Dindigul Town South Police Station,
Dindigul, Dindigul District.

3.The Inspector of Police,
Economic offence Wing,
Dindigul Town,
Dindigul District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to transfer the further investigation of the case in Crime No.579 of 2019 on the file of the second respondent to the third respondent.

For Petitioner : Mr.S.Jeyakumar,

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



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the first respondent to transfer the further investigation of the case in Crime No.579 of 2019 on the file of the second respondent to the third respondent.

2. The learned Additional Public Prosecutor appearing for the State would submit that after initial investigation, the second respondent has filed final report; that the first accused had died and the case was dropped as against the accused 2 and 3 that thereafter, the petitioner has filed a protest petition and the learned Judicial Magistrate has allowed the protest petition vide order dated 28.11.2022, directing the Investigating Officer to proceed with further investigation and file a report on or before 30.12.2022. He would further submit that the concerned Police is not aware of the order passed by the learned Magistrate.

3. Since the learned Magistrate has passed orders in the protest petition, the contention of the respondent Police that they are not aware



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of the order cannot be accepted. However, considering the facts and circumstances of the case, the second respondent Police is directed to proceed with the investigation as directed by the learned Judicial Magistrate and file a report on or before 24.03.2023 and the Deputy Superintendent of Police, Dindigul Town South Police Station, is directed to monitor the further investigation.

4. With the above directions, this Criminal Original Petition is disposed of.

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

das

To

- 1.The Superintendent of Police,
Dindigul Town South Police Station,
Dindigul.
- 2.The Deputy Superintendent of Police,
Dindigul Town South Police Station,
Dindigul.
- 3.The Inspector of Police,
Dindigul Town South Police Station,
Dindigul, Dindigul District.
- 4.The Inspector of Police,
Economic offence Wing,
Dindigul Town, Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.4049 of 2023

Dated: 03.03.2023