



Crl.O.P.(MD)No.4253 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.4253 of 2023

Maruthamuthu

...Petitioner/Defacto
Complainant

Vs.

1.State, represented by
The Superintendent of Police,
Trichy District,
Trichy.

2.The Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No. 20 of 2023)

3.The Inspector of Police,
C.B.C.I.D. Wing,
Trichy District.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.20 of 2023 dated 18.01.2023 from the file of the 2nd Respondent to the file of the 3rd Respondent and consequently direct the 3rd Respondent to conduct proper investigation and file a final report in an expeditious manner within the stipulated period as prescribed by this Court.



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For Petitioner : Mr.Balaji.S

For Respondent : Mr.B.Nambiselvan
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.20 of 2023 dated 18.01.2023 from the file of the 2nd Respondent to the file of the 3rd Respondent and consequently direct the 3rd Respondent to conduct proper investigation and file final report in an expeditious manner within the stipulated period as prescribed by this Court.

2. It appears that it is the case and counter case. So far as the crime No.20 of 2023 is concerned, it has been closed as mistake of fact. But where as in crime No.19 of 2023, still investigation is going on. Since it is the the case and counter case, proper procedure must be adopted by the Investigation Officer in both matters and find out who are the aggressors.

3. In above said circumstances, the transfer of investigation may not serve any purpose. The second respondent is directed to restore the complaint and enquiry in crime No.20 of 2023 and take up the



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investigation along with Crime No.19 of 2023, investigate both the matters and file the final report within three months from the date of receipt of copy of this order. If the petitioner is still aggrieved by the outcome of the investigation process, he can workout his remedy through appropriate proceedings.

4. Since already one of the First Information Report is to be restored, let the above said investigation be monitored by Deputy Superintendent of Police, Giyapuram.

5. 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.ILANGO VAN,J.

Indu

To

- 1.The Superintendent of Police,
Trichy District,
Trichy.
- 2.The Inspector of Police,
Vathalai Police Station,
Trichy District.
- 3.The Inspector of Police,
C.B.C.I.D. Wing,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.4253 of 2023

Dated: 06.03.2023