



Crl.O.P.(MD)No.4403 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.4403 of 2023

Kalanthar Ashik Ahamed

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvadanai Taluk,
Ramanathapuram District.
3. The Inspector of Police,
Thondi Police Station,
Thondi,
Ramanathapuram District.
4. M.Abdul Rasub
5. Nizamudeen
6. Mohamed Rizwan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to transfer the investigation of the petitioner's complaint in C.S.R.No.425 of 2022 dated



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27.12.2022 from the file of the 3rd respondent to some other agencies by considering the petitioner complaint dated 27.12.2022, within the period as stipulated by this Court.

For Petitioner : Mr.Atham Ali S

For Respondents : Mr.B.Nambiselvan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation of the petitioner's complaint in C.S.R.No.425 of 2022 dated 27.12.2022 from the file of the 3rd respondent to some other agencies by considering the petitioner complaint dated 27.12.2022, within the period as stipulated by this Court.

2. Since the allegation of impersonation of 11th accused before the trial Court in C.C.No.95 of 2017, report has been called for from the trial Court as to the occurrence that took place during the hearing.

3. A detailed report has been submitted by the trial Court stating that on 22.12.2022, during calling hours, the accused Nos.1 to 11 were called and present before the trial Court and they were subjected to



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questioning under Section 313 Cr.P.C., thereafter, went away. At that time, phone call was received from the Advocate, who is in record in this matter to trial Court Head Clerk, stating that 11th accused, who appeared before the trial Court is not a genuine person. When again the above said accused was called to the Court, only 1 to 10 accused appeared and 11th accused was not present at about 2.00 p.m. On the above said occurrence, the complaint was given by the Head Clerk against the person, who appeared before him and it was registered in Crime No.265 of 2022 on the same day itself, warrant was also issued against the 11th accused. The above said impersonator was arrested and remanded to judicial custody on 20.03.2023.

4. After doubting that this petitioner was responsible for the above said information to the trial Court, he was criminally intimidated, abused, over which, the complaint has been registered on 27.12.2022, now it is kept pending without any progress.

5. Let the above said complaint be enquired in a proper manner and complete the same within fifteen days from the date of receipt of



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copy of this order.

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6. With the above said direction, this Criminal Original Petition stands disposed of.

08.06.2023

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

Indu

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvadanai Taluk,
Ramanathapuram District.
3. The Inspector of Police,
Thondi Police Station,
Thondi,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J.

Indu

Order made in
Crl.O.P.(MD)No.4403 of 2023

Dated: 08.06.2023