



WEB COPY

Crl.O.P.(MD)No.6320 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.6320 of 2023

Samraj

... Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

2. The Inspector of Police,
Nazrath Police Station, Nazarath,
Thoothukudi District.

3. The Inspector of Police,
CBCID Police, Tuticorin.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to withdraw the complaint dated 28.02.2023 pending before the Respondent No.2 and entrust the same the Respondent No.3 to any other officer not below the rank of the Deputy Superintendent of Police for investigation based on the petitioner's representation dated 04.03.2023.

For petitioner : Mr.V.Malaiyendran

For Respondents : Mr.B.Nambiselvam
Additional Public Prosecutor



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ORDER

This criminal original petition has been filed seeking transfer of investigation on the complaint made by the petitioner dated 28.02.2023 from the file of the second respondent to the file of third respondent or any other investigating Officer not below the rank of Deputy Superintendent of Police.

2.The learned Additional Public Prosecutor would submit that enquiry is pending before the second respondent and the petitioner has appeared before the respondent police for enquiry only on 26.03.2023.

3.Not even seven days is over from his date of appearance before the respondent. Immediately, he filed this petition stating that the enquiry has not been undertaken by the respondent. Such sort of activity of the petitioner is clearly abuse of process of the Court and law. I find absolutely no reason to interfere with the enquiry process undertaken by the respondent police. This petition deserves to be dismissed.



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4. Accordingly, this criminal original petition is dismissed.

05.04.2023

Index : Yes/No

Internet : Yes/No

TM

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2. The Inspector of Police,
Nazrath Police Station, Nazarath,
Thoothukudi District.
3. The Inspector of Police,
CBCID Police, Tuticorin.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN. J.

TM

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