



Crl.O.P.(MD).No.10487 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.10487 of 2023

Mayilathal

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Deputy Superintendent of Police,
Ottanchathiram Taluk,
Dindigul District.

3.The Inspector of Police,
Kallimanthayam Police Station,
Ottanchathiram Taluk,
Dindigul District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to transfer the investigation to any other honest Police Official from the 3rd Respondent in Cr.No.32 of 2023 dated 16.02.2023 and direct the 1st and 2nd Respondents to monitor the same and on completion of investigation file the final report.

For Petitioner : Mr.T.Ramasamy

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This criminal original petition has been filed to transfer the investigation to any other honest Police Official from the 3rd Respondent in Cr.No.32 of 2023 dated 16.02.2023 and direct the 1st and 2nd Respondents to monitor the same and on completion of investigation file the final report.

2.The petitioner has lodged a complaint before the respondent police and the same was registered in crime No.32 of 2023 for the offences punishable under Sections 147, 148, 294(b), 323, 506(ii), 109 of IPC.

3.The grievance of the petitioner is that it is a case in counter case. Another case is in Crime No.31 of 2023 was registered on the basis of the complaint lodged by the counter parties. Without properly enquiring both the cases, proposal was made by the 3rd respondent to file final report in one case alone. Hence, seeking transfer of Crime No.32 of 2023.



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4.The learned Additional Public Prosecutor would submit that there is no such proposal pending with the 3rd respondent. The investigation in both the cases is going on in proper manner.

5.Let both the cases be enquired by the Investigating Officer as per the Rules stipulated within a period of three months from the date of receipt of a copy of this order and file final report in both the case by following the procedures. If the petitioner still aggrieved, he can workout his remedy through appropriate proceedings. The transfer of investigation at this stage is not proper.

6.Accordingly, this criminal original petition stands disposed of with the above said directions.

14.06.2023

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

To

1.The Superintendent of Police,
Dindigul District,
Dindigul.

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- 2.The Deputy Superintendent of Police,
Ottanchathiram Taluk,
Dindigul District.
- 3.The Inspector of Police,
Kallimanthayam Police Station,
Ottanchathiram Taluk,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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