



Crl.O.P.(MD).No.10571 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.10571 of 2023

M.Veluthai

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Thoothukudi District.

2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Thoothukudi Rural,
Thoothukudi District.

3.The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to transfer the investigation to some other agency to conduct further enquiry on the complaint made by the petitioner dated 04.06.2023 on the file of the 3rd respondent within time stipulated by this Court.



WEB COPY



Crl.O.P.(MD).No.10571 of 2023

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to transfer the investigation to some other agency to conduct further enquiry on the complaint made by the petitioner dated 04.06.2023 on the file of the 3rd respondent within time stipulated by this Court.

2.The grievance of the petitioner is that in spite of the earlier direction issued by the learned Judicial Magistrate No.I, Srivaikundam, in Crl.M.P.No.5511/2023, no proper action has been taken. Another complaint was given by the petitioner dated 16.05.2023, C.S.R.No.309 of 2023 was registered. But so far no proper action has been taken. In spite of the above fact that the private respondent entered into the property of the petitioner, cut down and set fire to the banana trees worth about Rs.1.50 lakhs.

3.The learned Additional Public Prosecutor would submit that because of the above said issue between the parties, the matter is referred



Crl.O.P.(MD).No.10571 of 2023

to the Sub Collector, Tuticorin, for initiating action under Section 145 Cr.P.C. The above said recommendation was made on 06.06.2023. So far the above said proceedings has not been initiated.

4.Since recommendation has also been made by the third respondent, the transfer of investigation was or enquiry as the case may be may nor arise. At this stage, let the parties appear before the Sub Collector, Tuticorin, in the above said proceedings and workout their remedy there itself. If he still aggrieved, they can workout their remedy through appropriate proceedings. Let the Sub Collector, Tuticorin, initiate the proceedings and complete the same within a period of three months from the date of initiation of proceedings.

5.With the above said directions, this criminal original petition stands disposed of.

15.06.2023

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



Crl.O.P.(MD).No.10571 of 2023

To

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Thoothukudi District.
- 2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Thoothukudi Rural,
Thoothukudi District.
- 3.The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.10571 of 2023

G.ILANGOVAN,J.

TM

Crl.O.P.(MD).No.10571 of 2023

15.06.2023