



CRL OP(MD). No.11404 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26.06.2023

CORAM

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD. No.11404 of 2023

S. Jeya Kumar

... Petitioner

Vs

1.The Commissioner of Police  
Thirunelveli city  
Thirunelveli

2.The Assistant Commissioner Of Police  
Palayakottai  
Thirunelveli

3. Radha Krishnan @ radha

Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to directing the 1<sup>st</sup> respondent herein to transfer the investigation by depute a competent officer to take up the investigation to the petitioner's complaint dated 29.03.2023 from the file of 2<sup>nd</sup> respondent and investigate the same under the supervision of the 1<sup>st</sup> respondent.



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For Petitioner : M/S.Manivelpandian M.M

For Respondent Nos.1 & 2 : Mr. B. Nambi Selvan  
Additional Public Prosecutor

### ORDER

This Criminal Original Petition has been filed for issuing a direction to the the 1<sup>st</sup> respondent herein to transfer the investigation by deputing a competent officer to take up the investigation to the petitioner's complaint, dated 29.03.2023 from the file of 2<sup>nd</sup> respondent and investigate the same under the supervision of the 1<sup>st</sup> respondent.

2. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents police would submit that on the basis of the complaint given by the petitioner against the 3<sup>rd</sup> respondent herein enquiry was undertaken and during the course of enquiry, finding that the civil suit is pending between the parties in the suit in O.S.No.120 of 2023 on the file of the Principal District Munsif, Thirunelveli and hence, the same was closed.

3. The grievance of the petitioner is that he is not a party in



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the above said suit and the same has been filed against the wife of third respondent.

4. In view of the fact that enquiry has already been conducted and the same was closed nothing survives for adjudication in this petition and hence, the Criminal Original Petition is dismissed as infructuous. Depending upon the outcome of the suit, the petitioner can workout the remedy through appropriate proceedings.

26.06.2023

Index : Yes / No  
Internet: yes / No  
trp

**To**

1.The Commissioner of Police  
Thirunelveli city  
Thirunelveli

2.The Assistant Commissioner Of Police  
Palayakottai  
Thirunelveli

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**G.ILANGOVAAN,J**

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