



CRL OP(MD). No.11162 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 22.06.2023

CORAM

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11162 of 2023

Karunaneethi

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul.

3. The Sub Inspector of Police,
Sanarapatti Police Station,
Sanarpatti,
Dindigul.

Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 1st respondent to withdraw the investigation of the complaint of the petitioner pending before 3rd respondent in CSR.No.579 of 2023, dated 09.05.2023 and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation of the case based on the representation, dated 05.06.2023.

1/5



WEB COPY



CRL OP(MD). No.11162 of 2023

For Petitioner : Mr.N.Anandakumar

For Respondents : Mr. B. Nambi Selvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for issuing direction to the 1st respondent to withdraw the investigation of the complaint of the petitioner pending before 3rd respondent in CSR.No.579 of 2023, dated 09.05.2023 and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation of the case based on the representation, dated 05.06.2023.

2. It is the issue between father and son. The learned counsel appearing for the petitioner submitted that regarding the first occurrence the petitioner was assaulted by his son, in which, he has given a complaint before the respondents police, but the enquiry was not undertaken by them. He would further submit that it is the second occurrence, again the petitioner was attacked by his son and daughter in law and that he has given a complaint before the 3rd respondent, police but the police did not receive the complaint. When the 2nd respondent



CRL OP(MD). No.11162 of 2023

police was in patrol on that day found the petitioner with blood injuries and the 2nd respondent police directed the concerned Police official to register a FIR. Only based on the above direction, the present complaint was registered.

3. Today, the second respondent is also present before this Court along with CD file. It is seen from the CD file that the major part of the investigation is over and only one certificate is yet to be obtained. So, at this stage transfer of investigation is not permitted.

4. Let the investigation be completed by the respondents Police within a period of one month from the date of receipt of a copy of this order and the file report be filed before the concerned Court. With regard to the first occurrence enquiry must also be completed within a week.

5. With the above direction, this Criminal Original Petition is disposed of.

22.06.2023

Index : Yes / No
Internet: yes / No
trp

3/5



CRL OP(MD). No.11162 of 2023

To
WEB COPY

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul.
3. The Sub Inspector of Police,
Sanarapatti Police Station,
Sanarpatti,
Dindigul.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.11162 of 2023

G.ILANGO VAN,J

trp

CRL OP(MD. No.11162 of 2023

Date : 22.06.2023