



CRL.O.P.(MD)No.12264 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.12264 of 2023

N.Shawalram

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanniyakumari, Kanniyakumari District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nagar Kovil Range, Kanniyakumari District.
- 3.The Inspector of Police,
Aralvoimozhi Police Station,
Nagarkovil, Kanniyakumari District.

4.P.Glittus Gonsalves

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the first respondent to withdraw the case in C.S.R.No.251 of 2023 on the file of the third respondent and entrust the same to the second respondent for complete the investigation in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Murugan

For R-1 to R-3 : Mr.SS.Madhavan
Government Advocate (Criminal Side)



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ORDER

This petition is filed seeking for transfer of the enquiry in C.S.R.No.251 of 2023 from the third respondent to second respondent / Deputy Superintendent of Police.

2. It is submitted by the learned counsel for the petitioner that the petitioner has sent a representation to the respondent Police and the same was registered as C.S.R.No.251 of 2023, but, respondent No.3 has not been enquiring into the said petition, thereby, sought for transferring the said enquiry in favour of the second respondent. It is submitted by the learned Government Advocate (Criminal Side) that soon of the receipt of the representation which was registered as C.S.R.No.251 of 2023 and issued notice to both the parties. The respondent No.3 though appeared and made his submissions, the petitioner, however, has failed to appear for the enquiry and thereby, accordingly, the enquiry in the said petition was closed. However, learned Government Advocate (Criminal Side) further submits that, in case, if the petitioner is coming forward with the relevant documents, the police would certainly consider and incase, if the enquiry proves that the fourth respondent has committed any offence, they will initiate proper action against him.



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3. Considering the same, the respondent No.3, who has been enquired into the matter is directed to consider the documents, if any filed by the petitioner and dispose of the same afresh within two (2) weeks from the date of submission of documents.

4. Accordingly, this Criminal Original is disposed of.

07.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanniyakumari, Kanniyakumari District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nagar Kovil Range, Kanniyakumari District.
- 3.The Inspector of Police,
Aralvoimozhi Police Station,
Nagarkovil, Kanniyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

tsg

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