



CrI.O.P.(MD) No.13870 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.13870 of 2023

Jeya

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Alagarkovil Road,
Madurai.

2.The Deputy Superintendent of Police,
Usilampatti,
Madurai District.

3.The Inspector of Police,
Chekkanurani Police Station,
Madurai District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass appropriate order directing the respondents 1 and 2 to transfer the investigation of the petitioner's complaint dated 13.06.2023 from the file of the third respondent to any other investigation agency by considering the petitioner's representation dated 30.06.2023.



Crl.O.P.(MD) No.13870 of 2023

WEB COPY

For Petitioner : Mr.P.Balamurugan

For Respondents : Mr.SS.Madhavan
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking transfer of investigation of the petitioner's complaint from the file of the respondent No.3 police to any other Investigating Agency on the ground that the enquiry has not been proceeded with properly in respect of a complaint given by her.

2.The learned Government Advocate (Crl.side) on the other hand submits that the complaint given by the petitioner is registered as CSR.No.439 of 2023 and an enquiry was initiated. During the course of enquiry, the petitioner herself has admitted that there is a overlapping between the land of the petitioner and her neighbour and also submitted that both the petitioner and her neighbour would get their lands by survey and basing on the outcome of the survey, they will resolve their disputes. Accordingly, the police stated to have closed CSR.No.439 of 2023.

2/5



Crl.O.P.(MD) No.13870 of 2023

WEB COPY

3.Once the enquiry itself is not pending before the respondent Nos.1 and 2 police, this Petition seeking for a direction to transfer the enquiry cannot be considered and is accordingly dismissed. In case if the petitioner gets any grievance in respect of the outcome of the enquiry, she is at liberty to approach the appropriate forum.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

03.08.2023

mm

To

- 1.The Superintendent of Police,
Madurai District,
Alagarkovil Road,
Madurai.
- 2.The Deputy Superintendent of Police,
Usilampatti,
Madurai District.
- 3.The Inspector of Police,
Chekkanurani Police Station,
Madurai District.

3/5



Crl.O.P.(MD) No.13870 of 2023

WEB COPY

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



WEB COPY



Crl.O.P.(MD) No.13870 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.13870 of 2023

03.08.2023