



Crl.O.P.(MD)No. 13228 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No. 13228 of 2023

Karthick

... Petitioner

Vs.

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

2.The Inspector of Police,
All Women police station,
Oddanchatram,
Dindigul District.
(Crime No.7 of 2021).

3.The Inspector of Police,
C.B.C.I.D.,
Dindigul.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., directing the first respondent to transfer the investigation in Crime No.7 of 2021 from the file of the 2nd respondent to the third respondent and further direct the third respondent to conduct the investigation and file charge sheet in accordance with law.



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For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed seeking for transferring the investigation in Crime No.7 of 2021 from the second respondent to the third respondent police.

2. According to the learned counsel for the petitioner, on a complaint given by the petitioner that his daughter was subjected to molestation, a case has been registered by the police in Crime No.201 of 2021 for the offences under Sections 294(b) and 323 of IPC and investigation is taken up. It is submitted that originally the complainant has given another complaint alleging grave allegation against the accused. However, the writer of the police station has suppressed that complaint and drafted another complaint with less serious offence and registered the same as FIR, as the accused stated to be politically influenced person. It is also submitted that anticipatory bail of the petitioner was dismissed even then the police are not arresting him.



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3. The learned Government Advocate(Crl.side) further submits that the accused has obtained anticipatory bail on 13.07.2023 in Cr.M.P.No.244 of 2023 before the Special Court for POCSO Act cases, Dindigul. Further the petitioner has not filed copy of the earlier complaint which stated to have been filed before the police which allegedly was suppressed by the writer.

4. Learned Government Advocate (Crl.side) further submits that the police have recorded 164 Cr.P.C., statement of the victim and basing on that they are likely to alter the sections of law against the accused persons. It is also submitted that since the victim is a minor and POCSO Act is slabbed on the accused, the senior police officers are monitoring the case and the investigation is proceeding in proper lines.

5. Considering the submissions made by the learned Government Advocate(Crl.side) and on hearing the petitioner this Court is of the opinion that the investigation is proceeding on the proper lines and after completion of the investigation, petitioner finds any laches on the part of



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the investigation, he can challenge the same by approaching appropriate forum / Court.

6. With this observation, this Criminal Original Petition is closed. The respondent police are permitted to expedite the investigation and file a charge sheet within a period of four weeks from the date of receipt of a copy of this order.

24.07.2023

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

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To

- 1.The Superintendent of Police, Dindigul District, Dindigul.
- 2.The Inspector of Police, All Women police station, Oddanchatram, Dindigul District. (Crime No.7 of 2021).
- 3.The Inspector of Police, C.B.C.I.D., Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

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Order made in

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