



CrI.O.P.(MD) No.13258 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2023**

CORAM:

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

CrI.O.P.(MD) No.13258 of 2023

P.Mariappan

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Kovilpatti Sub Division,
Thoothukudi District.

3.The Inspector of Police,
West Police Station,
Kovilpatti,
Thoothukudi District.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw and transfer the First Information Report in Crime No.287 of 2023 dated 17.06.2023 on the file of the 3rd respondent police to some other police station.



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For Petitioner : Mr.S.Saravanan

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

ORDER

This petition is filed seeking for a direction to transfer the investigation in Crime No.287 of 2023 dated 17.06.2023 on the file of the respondent No.3 police to some other competent police officer.

2.It is submitted by the learned counsel for the petitioner that after the death of the petitioner's son in law, the accused, who are the brothers of the deceased son in law of the petitioner, have started harassing the petitioner's daughter. When the petitioner has questioned them, all the accused have beaten the petitioner, thereby the petitioner was admitted in the hospital with injuries. The police have visited the hospital and recorded the statement of the petitioner and also took signatures of the petitioner in a blank white paper.

3.Subsequently, a complaint was written on the blank white paper stating that the accused have threatened the petitioner and her daughter to change the



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name of the tailor shop, which was being run by the petitioner's daughter in her name. It is also submitted that the complaint given by the petitioner originally that the accused person were harassing the petitioner's daughter has been suppressed with the connivance of the police. Therefore, sought for transfer of investigation.

4.The learned Government Advocate (Crl.side) on the other hand submits that basing on a complaint given by the petitioner, a case in Crime No.287 of 2023 has been registered for the offence punishable under Sections 294(b) and 323 IPC and after the investigation, the charge sheet is also filed and the same was taken on file as STC.No.1417 of 2023.

5.Once the investigation has been completed, nothing is left to be investigated by the respondent police, thereby the request of the petitioner to transfer the investigation from one police officer to other police officer becomes infructuous.



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6. Accordingly, this Petition is dismissed as infructuous. In case if the petitioner feels that there are any lapses on the part of the respondent police, he is at liberty to approach the concerned Magistrate with an appropriate application.

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

25.07.2023

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To

1. The District Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Deputy Superintendent of Police,
Kovilpatti Sub Division,
Thoothukudi District.
3. The Inspector of Police,
West Police Station,
Kovilpatti,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN. J.

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