



Crl.O.P(MD)No.13782 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:02.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD) No.13782 of 2023

P.Adaikke

... Petitioner

Vs

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Respondent No.1 to withdraw the petitioner's complaint dated 16.07.2023 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation based on the representation dated 18.07.2023 and on 21.07.2023.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)



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ORDER

This Criminal Original Petition is filed seeking for transfer of enquiry in a complaint, dated 16.07.2023 filed by the petitioner with the second respondent to any other police officer.

2. The learned counsel for the petitioner submitted that the petitioner has filed a complaint against the accused alleging that the accused persons have assaulted him. The petitioner stated to have been admitted in the hospital for 4 days, however, the second respondent police has not registered a case.

3. It is submitted by the learned Government Advocate (Crl.side) appearing for the respondents that the complaint of the petitioner dated 16.07.2023 is registered as FIR in Cr.No.48 of 2023 for the offences under Sections 294(b) and 323 of IPC and the said FIR copy has been issued on 26.07.2023.

4. Since the complaint filed by the petitioner was registered as CSR on the very same day and it has been converted as FIR, on filing the FIR, no



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orders is passed in this application seeking transfer of enquiry in respect of complaint given by the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

NCC:yes/no
Index:yes/no
Internet:yes/no
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02.08.2023

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.
- 2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

am

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