



Crl.O.P.(MD).No.18549 of 2023 and W.P.(MD)No.21048 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.18549 of 2023

and

W.P(MD)No.21048 of 2023

Crl.O.P.(MD).No.18549 of 2023

Muthupandi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai
Tirunelveli District.

2.The Inspector of Police,
District Crime Branch
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to issue a direction directing the respondent no.1 to withdraw complaint dated 26.05.2023 pending before the respondent no.2 and entrust the same to any other officer not below the rank of Deputy Superintendent of police for further enquiry based on the petitioner's representation dated 08.08.2023.



Crl.O.P.(MD).No.18549 of 2023 and W.P.(MD)No.21048 of 2023

W.P(MD)No.21048 of 2023

Velladurai

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai
Tirunelveli District.

2.The Inspector of Police,
District Crime Branch
Tirunelveli(District)

3.Rani

4.Thirumalaikumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to take necessary action against the 3rd and 4th respondents on the basis of petitioners representation dated 29.05.2023 and take further action.

For Petitioner :Mr.V.Selvakumar

For R1 & R2 :Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

(in both petitions)



Cri.O.P.(MD).No.18549 of 2023 and W.P.(MD)No.21048 of 2023

COMMON ORDER

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These Petitions have been filed to issue a direction directing the respondent no.1 to withdraw complaint dated 26.05.2023 pending before the respondent no.2 and entrust the same to any other officer not below the rank of Deputy Superintendent of police for further enquiry based on the petitioner's representation dated 08.08.2023 and to direct the second respondent to take necessary action against the 3rd and 4th respondents on the basis of petitioners representation dated 29.05.2023 and take further action.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

3. Let the complaints given by the petitioners be reopened by the second respondent and proceed to enquire the complaint. The complaint must be completed within a period of fifteen(15) days, from the date of registration of the complaint, by summoning the petitioner as well as the proposed accused. Depending upon the outcome of the enquiry, the second respondent may take action.



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4. With the above said directions, these criminal original petition and the Writ Petition are disposed of. There shall be no order as to costs insofar as the Writ Petition is concerned.

21.11.2023

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

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai
Tirunelveli District.
2. The Inspector of Police,
District Crime Branch
Tirunelveli(District)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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and
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21.11.2023