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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 28/06/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVA

Cr1.OP (MD) No.18626 of 2022

Senthamil Selvi : Petitioner/De-facto
Complainant

Vs.

- 1.The Superintendent of Police,
Madurai District, Madurai.
- 2.The Deputy Superintendent of Police,
Melur, Madurai District.
- 3.The Inspector of Police,
Melur Police Station,
Melur, Madurai District.
- 4.The Inspector of Police,
CB-CID, No.7, Kamarajar 2nd Street,
Chinnchokikulam, Madurai.
- 5.The Deputy Superintendent of Police,
Ooumachikulam Division, Madurai district.
- 6.The Inspector of Police,
Cyber Crime,
South Kovil Street,
Near Meenachiamman Kovil, Madurai.

: Respondents

Prayer: Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, to withdraw the case in Crime No.450 of 2021 pending on the file of the 3rd respondent herein and transfer to the 4th respondent and investigate the case in accordance with law or pass such further orders or directions.



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For Petitioner

: Mr.A.Shajahan

For Respondents

: Mr.B.Nambiselvan
Additional Public Prosecutor

O R D E R

This criminal original petition is filed seeking withdrawal of the Crime No.450 of 2021 pending on the file of the 3rd respondent herein and transfer to the 4th respondent and investigate the case in accordance with law.

2.The case of the prosecution in brief:-

The de-facto complainant lodged a complaint stating that along with family members and the driver, travelling in a vehicle bearing registration No.TN-58-AF-7201, on 10/07/2021 to Thanjavur, later, returned to Madurai. On 11/07/2021, when the above said Car was nearing Vivekananda School, Melur, at about 08.30 pm, the vehicle which was coming behind them, hit behind back of the car. Because of the above said impact, the vehicle capsized in the road. Since, it is night hours, they could not identify the offending vehicle. His father died in the



3. Pending investigation, this petition has been filed by the petitioner seeking transfer of investigation on the ground that no proper investigation was undertaken by the Investigating Officer.

<https://www.mhc.tn.gov.in/judis>



5. Heard both sides.

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6. The learned Additional Public Prosecutor would submit that Cr1.OP(MD)No.14092 of 2021 has been filed by this petitioner for similar relief. At that time, direction was issued to the first respondent herein namely the Superintendent of Police, Madurai, to go through the file and if satisfied may transfer the same to some other officer. In pursuance of the above said order, now the first respondent herein entrusted the investigation to the Deputy Superintendent of Police, Oomachikulam Sub Division, Madurai, now the investigation has been undertaken by him. According to him, already investigation has been transferred to the Deputy Superintendent of Police, Oomachikulam, now under investigation. So, no further direction is required. He has also filed status report, wherein, it has been stated that CCTV was also verified and came to know that the occurrence took place due to rash and negligent on the part of the driver of the vehicle, which was occupied by this petitioner. Further, it is seen that the investigation has been completed. They will file final report in a short time.



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7. Since already investigation has been completed, I find no reason to once again transfer the investigation to some other officer. If the petitioner is still aggrieved, he can work out his remedy through proper proceedings.

8. In the result, this criminal original petition stands **dismissed**.

28/06/2023

Index: Yes/No
Internet: Yes/No
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To,

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Deputy Superintendent of Police,
Melur,
Madurai District.
- 3.The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
- 4.The Inspector of Police,
CB-CID,
No.7, Kamarajar 2nd Street,
Chinnchokikulam,
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G.ILANGOVAN, J

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Crl.OP(MD)No.18626 of 2022

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