



Crl.O.P.(MD).No.20353 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20353 of 2023

Periyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruchirappalli District
Tiruchirappalli.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manaparai,
Tiruchirappalli District.

3.The Inspector of Police,
Thuvrankurichi Police Station,
Tiruchirappalli District
(In Crime No.135 of 2023)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to withdraw the case in Crime No.135/2023 dt.29/5/2023 on the file of the R3 which is pending before the R2 and entrust the same to any other competent nodal officer for an investigation within the time stipulated by this Court.



Crl.O.P.(MD).No.20353 of 2023

For Petitioner : Mr.R.Venkatesan
For R1 to R3 : Mr.R.M.Anbunithi
Addl.Public Prosecutor
(Crl.side)

ORDER

This Criminal Original Petition has been filed to withdraw the case in Crime No.135/2023 dt.29/5/2023 on the file of the R3 which is pending before the R2 and entrust the same to any other competent nodal officer for an investigation within the time stipulated by this Court.

2.The learned counsel for the petitioner would submit that the petitioner is the defacto complainant in this case. Based on the direction given by the learned I Additional District and Sessions Court (PCR), Tiruchirappalli, in Crl.M.P.No.1826 of 2023, the respondent police registered a case against the accused persons in Crime No.135 of 2023 for the offences punishable under Sections 294(b), 323, 506(i) of IPC r/w 3(1)(p), 3(1)(q), 3(1)(r) and 3(1)(s), 3(1)(za)(A) of 3(1)(za)(E) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. But, however, the respondent police colluding with the accused persons, trying to close the case in biased manner.



Crl.O.P.(MD).No.20353 of 2023

3.The learned Additional Public Prosecutor would submit that within a period of one month the investigation will be completed and final report will be filed before the concerned Court. There is no question of transfer of investigation at this stage. I find no reason to entertain this petition.

4.Recording the submissions made by the learned Additional Public Prosecutor this criminal original petition stands dismissed.

10.11.2023

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

To

1.The Superintendent of Police,
Tiruchirappalli District
Tiruchirappalli.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manaparai,
Tiruchirappalli District.

3.The Inspector of Police,
Thuvrankurichi Police Station,

3/5



Crl.O.P.(MD).No.20353 of 2023

Tiruchirappalli District
(In Crime No.135 of 2023)

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4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD).No.20353 of 2023

G.ILANGOVAN,J.

TM

Crl.O.P.(MD).No.20353 of 2023

10.11.2023