



WEB COPY

Crl.O.P.(MD)No.20790of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.20790 of 2023

Thinnappan

... Petitioner/Defacto
Complainant

Vs.

1.The Superintendent of Police,
Dindigul District,

2.The Deputy Superintendent of Police,
Dindigul Town,
Dindigul District.

3.The Inspector of Police,
Town North,
Dindigul District,
in Crime No.695/2023

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in FIR in Crime No.695/2023 on the file of the third respondent to any other specialized agency like CBCID or to any other agency in order to conduct proper investigation and to cull out the truth and to recover the petitioner's car.

For Petitioner : Mr.KR.Bharathi Kannan

For Respondents :Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.side)



ORDER

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This Criminal Original Petition is filed to transfer the investigation in FIR in Crime No.695/2023 on the file of the third respondent to any other specialized agency like CBCID or to any other agency in order to conduct proper investigation and to cull out the truth and to recover the petitioner's car.

2. Now the grievance of the petitioner is that a complaint was given by the petitioner against three persons, upon which, a case in Crime No.695 of 2023 has been registered for the offences punishable under Sections 147, 148, 448, 294(b), 323, 342, 506(ii) and 379 IPC. But however the counter complaint in Crime No.699 of 2023 has been registered for the offences punishable under Sections 294(b), 506(ii), 406 and 420 IPC against the petitioner, that was enquired and still pending. The complaint that was given by the petitioner came to be closed as mistake of fact on 05.11.2023 and RCS notice was also served.

3. Even though in the normal circumstances, this Court would have directed the petitioner to workout his remedy through appropriate proceedings, now considering the fact that counter case is also pending investigation and without following proper procedure, the present



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complaint was closed. On that ground, there shall be direction to the third respondent Police to reopen the complaint, which is given by the petitioner in Crime No.695 of 2023, proceed the investigation in both the matter by following proper procedure and complete the same within a period of three months from the date of receipt of copy of this order.

4. With the above said direction, this Criminal Original Petition is disposed of.

20.11.2023

Index : Yes/No
Internet : Yes/No
Indu



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G.ILANGOVA.N. J.

Indu

To

- 1.The Superintendent of Police,
Dindigul District,
- 2.The Deputy Superintendent of Police,
Dindigul Town,
Dindigul District.
- 3.The Inspector of Police,
Town North,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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