



WEB COPY



CrI.O.P.No.8173 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.8173 of 2024

Jaganathan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Vangikkal, Thiruvannamalai-606 604.

2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Thiruvannamalai-606 601.

3.The Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.
(Crime No.36/2024)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to transfer the investigation from the 3rd respondent police to any other investigation agency and to initiate immediate action in Crime No.36 of 2024 on the file of the 3rd respondent police.

For Petitioner : Mr.P.Jayachandran

For Respondents : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)

ORDER



Crl.O.P.No.8173 of 2024

This Criminal Original Petition is filed by the petitioner to transfer the investigation from the 3rd respondent police to any other investigation agency and to initiate immediate action in Crime No.36 of 2024 on the file of the 3rd respondent police.

2. According to the petitioner, the accused 7 in number had caused damage to the JCB and also caused physical injury. They used abusive words by calling caste and therefore, serious offence under Section 3(1)(r) of SC/ST Act been committed. On the same day, there was another incident where the accused persons and others got injured and therefore, one Rajeshwari gave a complaint against 19 persons which was registered in Crime No.35 of 2024 dated 07.02.2024. Out of 19 named accused, 17 were arrested and let out on bail. Whereas, on the complaint given by the petitioner herein none were arrested. Therefore, suspecting partial and bias investigation, this petition is filed for transfer of investigation.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that Crime No.36 of 2024, based on the complaint given by the petitioner herein is now being investigating by an officer in the rank of Deputy Superintendent of Police as per the



Crl.O.P.No.8173 of 2024

provision of SC/ST Act. The investigation is conducted in the right line.

Broken glass pieces and blood samples were recovered from the scene of occurrence. The Accident Register copy collected indicating no external injury. Witnesses statement been recorded, material so far collected does not warrant arrest of any accused named in the complaint. Investigation will be completed within a period of two months and final report will be filed.

4. Taking note of the connected case which is under investigation by the Sub Inspector of Police, Kalasapakkam Police Station in Crime No.35 of 2024, after hearing the counsel and perusing the records, this Court finds that there is no material to infer that the investigation in Crime No.36 of 2024 suffers any omission or lapse to transfer the investigation to some other agency. Hence, this Criminal Original Petition stands dismissed.

03.04.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

Dr.G.JAYACHANDRAN,J.

rpl

To



Crl.O.P.No.8173 of 2024

1.The Superintendent of Police,
O/o.Superintendent of Police,
Vangikkal,
Thiruvannamalai-606 604.

2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Thiruvannamalai-606 601.

3.The Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.

4.The Public Prosecutor,
High Court of Madras,
Chennai.

Crl.O.P.No.8173 of 2024

03.04.2024