



CrI.O.P.No.31406 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.31406 of 2024

N.Manikandan

... Petitioner

Vs.

1. State: Rep. by
The Superintendent of Police
Vellore District

2. State: Rep. by
The Inspector of Police
Sathvachery Police Station
Vellore District

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. praying to direct the 1st respondent to transfer the investigation pending in Cr.No.397 of 2024 from the 2nd respondent herein to any other competent authority.



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For Petitioner : Mr.J.Suresh
For Respondents : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the 1st respondent to transfer the investigation pending in Crime No.397 of 2024 from the 2nd respondent herein to any other competent authority.

2. Heard both sides and perused the materials available on record.

3. It is seen that based on the complaint given by the petitioner, the 2nd respondent police has registered a case in Crime No.397 of 2024 against one R.Manikandan, for the offence under Sections 296(b) and 118(1) of BNS for allegedly abusing the petitioner with filthy language and attacking him with plastic pipe and pending investigation, the petitioner has filed the present petition seeking transfer of investigation from the 2nd respondent police to some other agency.



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4. According to the petitioner, due to the alleged incident, he sustained grievous injuries, whereas, the respondent police has registered the case for bailable offences which itself creates suspicious and therefore, the investigation has to be transferred to some other agency.

5. According to the learned Additional Public Prosecutor appearing for the respondents police, the FIR was registered only on 27.10.2024 and the investigation is in progress.

6. It is settled proposition that FIR is not an Encyclopedia. It is only a First Information Report to the police to set the law into motion. After investigation only, the police will file the final report and during which, they could even alter the offences based on the materials collected during investigation. Now the investigation is in progress. The reason stated by the petitioner is not satisfied.

7. Therefore, this Criminal Original Petition is dismissed.



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8. The respondent police is directed to expedite the investigation and file

charge sheet as early as possible.

16.12.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Superintendent of Police
Vellore District
2. The Inspector of Police
Sathvachery Police Station
Vellore District
3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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