



Crl.O.P.(MD)No.6132 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.6132 of 2022
and
Crl.M.P.(MD)No.4254 of 2022

S.Kumaresan

... Petitioner

Vs.

- 1.The State Rep.by
The Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.
(Crime No.72 of 2022)
- 2.S.N.Chandrahassan
- 3.The Assistant Director of Geology and Mining,
Collector Office Compound,
Kokkirakulam,
Tirunelveli District.
- 4.The District Collector,
Tirunelveli,
Tirunelveli District.
- 5.The Deputy Inspector General of Police,
Palayamkottai, Tirunelveli District.



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6.The Superintendent of Police,
Tirunelveli, Tirunelveli District.

7.The Deputy Superintendent of Police,
CB CID Wing, Tirunelveli,
Tirunelveli District.

8.V.Ramamoorthy

9.The Central Bureau of Investigation (CBI),
No.26, Shastri Bhawan,
3rd Floor, Haddows Road,
Shastri Bhavan,
Chennai-600 006.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to withdraw the investigation from the first respondent i.e., the Inspector of Police, Thisayanvilai Police Station, Thisayanvilai, Tirunelveli District in Crime No.72 of 2022 either to the seventh respondent CB CID or to the ninth respondent CBI forthwith.

For Petitioner : Mr.S.Palani Velayutham

For R1, R3 to R7 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For R9 : Mr.M.Karunanithi,
Special Public Prosecutor
for CBI Cases.



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ORDER

This Criminal Original Petition has been filed to withdraw the investigation from the first respondent i.e., the Inspector of Police, Thisayanvilai Police Station, Thisaiyanvilai, Tirunelveli District in Crime No.72 of 2022 either to the seventh respondent CB CID or to the ninth respondent CBI forthwith.

2.The case of the petitioner is that he is the resident of Karaisuthuputhur village, Thisaiyanvilai Taluk, Tirunelveli District and he engaged in social activities in his locality and he is extending his help to the downtrodden people as well as others in various disputes. Further, the petitioner also interested in protecting the nature's gift in all aspects and he filed many public interest petitions in order to protect the nature's gift as well as Mines and Minerals in stealing by the thieves. In this connection, the petitioner made a complaint before the first respondent police against the accused persons, based on which, a case in Cr.No.72 of 2022 was registered. However, the first respondent police had not



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conducted investigation in a proper manner and hence, the petitioner filed the present petition to transfer the investigation to the seventh respondent or ninth respondent.

3.The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the first respondent to complete the investigation within a time frame.

4.The learned Special Public Prosecutor appearing for the ninth respondent would submit that this case is not a fit case to conduct investigation by the ninth respondent.

5.In view of the request made by the learned counsel appearing for the petitioner, this Court is inclined to dispose this petition by directing the first respondent to completed the investigation within a time frame. Accordingly, the first respondent is directed to complete the investigation in Cr.No.72 of 2022 within a period of six weeks from the date of receipt of a copy of this order.



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6.In the result, this criminal original petition is disposed of.

Consequently, connected miscellaneous petition is closed.

02.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai, Tirunelveli District.
- 2.The Assistant Director of Geology and Mining,
Collector Office Compound, Kokkirakulam, Tirunelveli District.
- 3.The District Collector, Tirunelveli, Tirunelveli District.
- 4.The Deputy Inspector General of Police,
Palayamkottai, Tirunelveli District.
- 5.The Superintendent of Police, Tirunelveli, Tirunelveli District.
- 6.The Deputy Superintendent of Police,
CB CID Wing, Tirunelveli, Tirunelveli District.
- 7.The Central Bureau of Investigation (CBI),
No.26, Shastri Bhawan, 3rd Floor, Haddows Road,
Shastri Bhavan, Chennai-600 006.



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M.DHANDAPANI,J.

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