



Crl.O.P.(MD)No.5950 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

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K.Amutha

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Combined Govt.Offices Square,
Virudhunagar District.
- 2.The Superintendent of Police,
O/o.The Superintendent of Police Prohibition
and Enforcement Wing,
Aathikulam,
Madurai District.
- 3.The Inspector of Police,
Prohibition and Enforcement Wing,
Srivilliputhur,
Virudhunagar District. (Cr. No.1656/2021)
- 4.The Inspector of Police
The Crime Branch and Crime Investigation
Department(CBCID),
Virudhunagar District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation of the case in Cr.No.1656/2021 dated 30.11.2021 pending on the file of the third respondent to the fourth or any other competent authority on the basis of the petitioner's representation dated 10.03.2022 and further direct him to investigate the



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case in accordance with law within stipulated period as fixed by this Court.

For petitioner : Mr.R.Santhanam
For Respondents : Mr.P.Nambiselvan,
Additional Public Prosecutor

ORDER

This petition has been filed seeking to transfer the investigation of the case in Crime No.1656/2021 dated 30.11.2021 pending on the file of the third respondent to the fourth respondent or any other competent authority on the basis of the petitioner's representation dated 10.03.2022 and further direct them to investigate the case in accordance with law within a stipulated period as fixed by this Court.

2. The case of the petitioner is that on 30.11.2021 at about 10.30 A.M., when the petitioner was in her house, at that time, a group of Policemen from the Prohibition and Enforcement Wing with the head of the third respondent came to the house of the petitioner and found arrack in her hay-heap, situated behind her house and subsequently, the respondent Police arrested the petitioner. Thereafter, the respondent



Police registered a case in Crime No.1656 of 2021 for the offence under Section 4(1) (g) of the Tamil Nadu Prohibition Act. Thereafter, the respondent Police released the petitioner by stating that they will investigate the case in a proper manner and identify the real accused. But the petitioner suspects that some one intended to rope the petitioner and her son in a criminal case. Hence, the petitioner approached the respondents to conduct a investigation in Crime No.1656 of 2021 in a proper manner and submitted a representation in this regard on 10.03.2022, however, the same has not been considered.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondent Police to consider the representation dated 10.03.2022 of the petitioner within a reasonable time as fixed by this Court.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the name of the petitioner has been deleted from the above said crime. He would further submit that already there was a civil dispute pending between the petitioner and one Ravichandran. He would further submit that after conducting the investigation in Crime No.1656 of 2011, the case has been referred as



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“mistake of fact”. He would further submit that the representation of the petitioner dated 10.03.2022 has been considered by the respondent Police.

5. Since the representation of the petitioner has been considered by the respondent Police and the petitioner’s name has been deleted from the complaint, no further orders are required to be passed in this Criminal Original Petition.

6. In view of the above, the Criminal Original Petition stands closed.

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Index : Yes/No

Internet : Yes/No

TSG

To

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2.The Superintendent of Police,
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3.The Inspector of Police,
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4.The Inspector of Police
The Crime Branch and Crime Investigation
Department(CBCID),
Virudhunagar District.

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



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M.DHANDAPANI. J.

TSG

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