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Crl.O.P.(MD)No.7028 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2024**

CORAM:

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

**Crl.O.P.(MD) No.7028 of 2022**

B.Maruthupandi

... Petitioner

Vs.

1. The Commissioner of Police,  
Trichy City, Trichy.

2.The Assistant Commissioner of Police,  
Golden Rock, Trichy.

3.The Inspector of Police  
Golden Rock Police Station,  
Trichy City.  
In Crime No.349/2022.

...Respondents

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the investigation in Crime No.349 of 2022 on the file of the third respondent herein to any other competent officer.

For petitioner

: Mr.S.Vijayakumar

For Respondents

: Mr.P.Nambiselvan,  
Additional Public Prosecutor



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## **ORDER**

This petition has been filed seeking for a direction to the first respondent to transfer the investigation in Crime No.349 of 2022 on the file of the third respondent herein to any other competent officer.

2. The case of the petitioner is that one Rajathi, who is working in the Diesel Shed Air Section, Southern Railway, came to the petitioner, who is also working in the same Section as a Junior Clerk, and asked some tools, in turn, the petitioner instructed her to obtain signature of the concerned Section Officer for getting tools. But, the said Rajathi was in urgent need of tools and hence, she told that she would get signature afterwards, for which, the petitioner rejected her request. Due to which, the said Rajathi abused the petitioner in filthy language and threatened him with the help of her husband, who is working as Police in the Crime Branch. On 23.03.2022, some Police Personnels including the husband of the said Rajathi trespassed into the house of the petitioner at Ponmalai and attacked the petitioner herein with iron rod and damaged the house hold articles of the petitioner herein and taken away five sovereign of gold chain, cash of Rs.11,000, mobile phone and bluetooth device from the petitioner herein. Due to injury, the petitioner was admitted in the Railway Hospital, Ponmalai and thereafter, he got



discharged from the hospital. Thereby, the petitioner made a complaint before the respondent Police and the respondent Police registered a case in Crime No.349 of 2022 for the offence punishable under Sections 448, 323, 379 and 506(i) IPC.

3. The learned counsel appearing for the petitioner would submit that the prime accused, viz., Prabhakar, who is working as a Police in the Special Branch, CID, Trichy District, by misusing his powers, had changed the actual complaint given by the petitioner. He would further submit that this Court may hand over the investigation to some other agency for proper investigation.

4. The learned Additional Public Prosecutor would submit that the investigation in this case is nearly completed and they are going to file a charge sheet.

5. It is alleged that there was a dispute between the petitioner and the above said Rajathi. It is seen that the petitioner's complaint has been registered by the respondent Police. Since the dispute involved in this case is a private dispute between two individuals, this Court cannot give much more important to transfer the investigation



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to any other investigating agency. However, the third respondent Police is directed to complete the investigation in Crime No.349 of 2022 within a period of four (4) weeks from the date of receipt of a copy of this order and file a charge sheet before the concerned Court.

6. Accordingly, the Criminal Original Petition stands disposed of.

**05.02.2024**

Index : Yes/No  
Internet : Yes/No  
TSG

To

1. The Commissioner of Police,  
Trichy City, Trichy.
2. The Assistant Commissioner of Police,  
Golden Rock, Trichy.
3. The Inspector of Police  
Golden Rock Police Station,  
Trichy City.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.DHANDAPANI. J.**

TSG

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