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CrI.O.P.(MD)No.8473 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.02.2024**

CORAM:

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

CrI.O.P.(MD) No.8473 of 2022

Amuthavalli

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Pattukottai Police Station,
Pattukottai,
Thanjavur District.

3.The Inspector of Police,
CBCID Police,
Thanjavur District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.31 of 2017 on the file of the second respondent to the file of the third respondent and investigate the case afresh.

For petitioner

: Mr.V.M.Balamohan Thampi

For Respondents

: Mr.B.Nambiselvan
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed to transfer the investigation in Crime No.31 of 2017 from the file of the second respondent to the file of the third respondent and investigate the case afresh.

2. The learned counsel appearing for the petitioner submits that on 14.01.2017, four unknown persons kidnapped the petitioner's husband and assaulted him. Hence, the petitioner made a complaint and a case in Crime No.31 of 2017 was registered by the second respondent Police for the offence punishable under Section 365 IPC, however, there is no progress in the investigation and so far, the second respondent Police has not secured the real accused. Hence, this Petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents Police submits that the investigation is going in a proper manner and therefore, there is no question of transferring the investigation.



4. In this case, FIR was registered in the year 2017 and after a lapse of five years, the present Petition has been filed without explaining the proper reason for transferring the investigation. As submitted by the learned Additional Public Prosecutor appearing for the respondents Police, investigation is going in a proper manner and therefore, there is no necessity for transferring the investigation. Hence, this Court is not inclined to transfer the investigation from the second respondent to the third respondent. However, the second respondent Police is directed to complete the investigation in Crime No.31 of 2017 within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition is disposed of.

06.02.2024

Index : Yes/No

Internet : Yes/No

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2.The Inspector of Police,
Pattukottai Police Station,
Pattukottai,
Thanjavur District.

3.The Inspector of Police,
CBCID Police,
Thanjavur District.

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



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M.DHANDAPANI. J.

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