



Crl.O.P.(MD)No.9392 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **08.02.2024**

CORAM:

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

Crl.O.P.(MD)No.9392 of 2022

Nagarajan

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Madurai District,
Madurai.

3.The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
Crime No.635 of 2021.

4.Angammal

5.S.Nanthakumar

6.Sugimathi

7.Senthamarai Shiyamala Devi

8.Vijaya Bharathi

9.S.Saanthakumar

10.Poomari

...Respondents



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PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the investigation from the third respondent to the second respondent in connection with Crime No.635 of 2021 dated 10.12.2021 and to direct the second respondent to conduct fresh enquiry upon the petitioner's complaint dated 16.06.2021 and take action in accordance with law based upon the petitioner's complaint dated 16.06.2021.

For petitioner	: Mr.V.Santhakumaresan
For R1 to R3	: Mr.B.Nambiselvan Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation in Crime No.635 of 2021 from the file of the third respondent to the file of the second respondent and direct the second respondent to conduct fresh enquiry upon the petitioner's complaint dated 16.06.2021 and take action in accordance with law.



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2. The learned counsel appearing for the petitioner submits that the petitioner has made a complaint before the third respondent on 16.06.2021, however, the same was not registered. Hence, the petitioner has filed a petition before this Court in W.P(MD).No.16477 of 2021 to direct the third respondent to take action based on the complaint dated 16.06.2021, but the third respondent in collusion with the respondent Nos.4 to 10, instead of registering FIR upon the petitioner's complaint dated 16.06.2021, has registered Crime No.635 of 2021 on 10.12.2021 with irrelevant facts. In the complaint dated 16.06.2021 made by the petitioner, the petitioner had included the respondent Nos.4 to 10, the son of the sixth respondent and the two identified persons in the accused list, but the third respondent has registered FIR only against the respondents 9 and 10 and changed the overt act into minor offences as per his own whims and fancy. Hence, this Petition has been filed.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 Police submits that during the pendency of this petition, the matter was investigated and the charge sheet has been filed. Hence, nothing survives for adjudication in this petition.



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4. Recording the submission made by the learned Additional Public Prosecutor appearing for the respondents 1 to 3 Police, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.

08.02.2024

Index : Yes/No
Internet : Yes/No
ssb

To

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- 2.The Inspector of Police,
Anti Land Grabbing Special Cell,
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Madurai.
- 3.The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI. J.

ssb

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