



CRL OP(MD). No.9398 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :01.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9398 of 2024

M.Karuppiah

... Petitioner

Vs

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District..

2. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Nilakottai, Dindigul District.

3. The Inspector of Police,
Nilakottai Police Station
Dindigul District.
(Crime No.265/2023)

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to transfer the investigation of the case in Crime No.265/2023 from the file of the third respondent to any other competent police officer in accordance with law within the time stipulated by this Court.



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For Petitioner : Mr. S. Malaikani

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking a direction to transfer the investigation in Crime No.265 of 2023 on the file of the 3rd respondent to any other competent officer.

2.The learned Counsel for the petitioner submits that the accused has damaged the compound wall. However, the respondent police have not registered a case as against the accused under Section 3 of TNPPDL Act.

3.The learned Government Advocate (Crl. Side) on instruction from the respondent police submits that it is a case and counter. The investigation is in the crucial stage and they have examined six witnesses so far and they have also arrested all the accused involved in this case. Further, he submits that the respondent police wants to ascertain whether the compound wall lies in the petitioner's property or in the complainant's



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property. The petitioner and defacto complainant are brother and there is a civil dispute pending between them.

4.Considering the submissions of the learned Government Advocate (Crl. Side), this Criminal Original Petition is closed with a direction to the respondent police to conduct an enquiry in a fair and proper manner and conclude the same within a period of two months from the date of receipt of a copy of this order. The petitioner shall also furnish details, if any, to the respondent police and to co-operate for the investigation.

01.07.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
jbr



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To

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District..
2. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Nilakottai, Dindigul District.
3. The Inspector of Police,
Nilakottai Police Station
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

jbr

Order made in
CrI.O.P.(MD)No.9398 of 2024

01.07.2024