



Crl.O.P.(MD)No.11935 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.11935 of 2022

M.Ahamed Masthan

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
CBCID, Pudukottai District.

3.The Deputy Superintendent of Police,
Pudukottai.

4.The Inspector of Police,
Udayalipatti Police Station,
Pudukottai District.

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.68 of 2022 on the file of the fourth respondent namely, the Inspector of Police, Udayalipatti Police Station, Pudukottai District to the file of the second respondent.

For Petitioner : Mr.N.Ratheesh

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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Crl.O.P.(MD)No.11935 of 2022

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.68 of 2022 on the file of the fourth respondent namely, the Inspector of Police, Udayalipatti Police Station, Pudukottai District to the file of the second respondent.

2.The case of the petitioner is that the petitioner has been working in Malaysia for the past 20 years. During the year 2009, he married one Sumaiya Banu and after marriage, they were blessed with three daughters. When the petitioner left India for employment, his wife started living with her parents, saying that she was very comfortable at her house. Out of the earned money, the petitioner's wife purchased jewels and property in her name and also lent Rs.24 lakhs to her family for her sister's marriage, but the same has not been returned till date. With regard to the above said money, there was a dispute between the petitioner's family and his father-in-law family. For which, both the petitioner and his father-in-law made a complaint before the respondent police. Since the respondents police have not conducted the investigation in a proper manner in the petitioner's complaint, the present petition is filed with the above said prayer.



Crl.O.P.(MD)No.11935 of 2022

3.The learned counsel for the petitioner would submit that it is a case and case in counter and both cases were registered by the respondent police at the instance of the petitioner and his father-in-law. Hence, this Court may issue a direction to the respondents police to file a charge sheet in terms of Section 566(2) of the Tamil Nadu Police Standing Orders.

4.The learned Additional Public Prosecutor appearing for the respondents would submit that in both cases, the charge sheet will be filed in terms of Section 566(2) of the Tamil Nadu Police Standing Order.

5.In view of the above, the second respondent police is directed to file a charge sheet as per Section 566(2) of the Tamil Nadu Police Standing Orders, within a period of 8 weeks from the date of receipt of a copy of this order.

6.With the above direction, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

07.02.2024



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Crl.O.P.(MD)No.11935 of 2022

M.DHANDAPANI, J.

Sji

To

- 1.The Superintendent of Police,
Pudukottai District.
- 2.The Inspector of Police,
CBCID, Pudukottai District.
- 3.The Deputy Superintendent of Police,
Pudukottai.
- 4.The Inspector of Police,
Udayalipatti Police Station,
Pudukottai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.11935 of 2022

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