



Crl.O.P.(MD)No.14465 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.02.2024**

CORAM:

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

Crl.O.P.(MD) No.14465 of 2022

V.Raju

... Petitioner

Vs.

- 1.The Inspector General of Police,
South Zone,
Madurai.
- 2.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
- 3.The Deputy Superintendent of Police,
Thalaiyuthu,
Tirunelveli District.
- 4.The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
- 5.The Inspector of Police,
CBCID,
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to transfer the investigation in connection with Crime No.134 of 2022 dated 18.07.2022 on the file of the fourth respondent to the fifth respondent herein.



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For petitioner : No appearance
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second respondent Police to transfer the investigation in connection with Crime No.134 of 2022 on the file of the fourth respondent to the fifth respondent herein.

2. The case of the prosecution is that the petitioner is working as Conductor in Tamil Nadu State Transport Corporation at Chennai and he came to his village for seeing his grand child. During that time, a lorry belonging to one of the accused persons, namely, Amithab, carrying wind mill spare parts transported the same through the land belonging to the petitioner's brother's son and when the same was questioned, the driver of the lorry ran away from the occurrence spot. Thereafter, the accused persons came to the occurrence place and threatened the petitioner and attacked him, due to which, he sustained injuries. While so, one



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Muthupandi, the Special Sub-Inspector of Police attached with the fourth respondent Police, without getting any statement from the petitioner, prepared a complaint and obtained signature from the petitioner's grandson, namely, Abinesh, without the knowledge of the petitioner and registered a case in Crime No.134 of 2022 for the offence punishable under Sections 294(b), 324, 307 and 506(2) IPC as against only 2 persons and has not impleaded the other accused persons involved in the crime. The said Muthupandi, who is the close relative of one of the accused persons, misused his official position and registered a counter case against the petitioner and others in Crime No.133 of 2022 for the offence punishable under Sections 147, 294(b), 341, 427, 323, 387 and 506(2) IPC. After registration of FIR in Crime No.134 of 2022, no action was taken. Hence, this Petition has been filed.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents submits that it is a case and counter case and in both the cases, investigation was completed and the charge sheets have been filed. Therefore, no further orders are required to be passed in this petition.



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4. Recording the submission made by the learned Additional Public Prosecutor appearing for the respondents, this Criminal Original Petition is closed. Liberty is granted to the petitioner to work out his remedy in the manner known to law.

23.02.2024

Index : Yes/No
Internet : Yes/No
ssb

To

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- 2.The Superintendent of Police,
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Tirunelveli District.
- 3.The Deputy Superintendent of Police,
Thalaiyuthu,
Tirunelveli District.
- 4.The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
- 5.The Inspector of Police,
CBCID,
Tirunelveli District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI. J.

ssb

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