



Crl.O.P.(MD)No.13146 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13146 of 2024

P.Lakshmanan @ Lakshmanaraj

: Petitioner/A1

Vs.

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

2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.

3.The Inspector of Police,
Usilampatti Twon Police Station,
Usilampatti, Madurai District.
Crime No.327 of 2023.

: Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation in the case in Crime No.327 of 2023 on the file of the third respondent Police to the second respondent or any other independent officer under the supervision of the first respondent Police, based on the petitioner's representation, dated 03.06.2024.

For Petitioner : Mr.A.Arputharaj

For Respondents : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side)
for R1.



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ORDER

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This Criminal Original Petition filed, under Section 528 of BNSS., seeking orders, to transfer the investigation in the case in Crime No.327 of 2023 on the file of the third respondent Police to the second respondent or any other independent officer under the supervision of the first respondent Police, based on the petitioner's representation, dated 03.06.2024.

2. It is seen from the records that on the basis of the complaint lodged by one Arulvasan, FIR came to be registered in Crime No.327 of 2023 for the offence under Section 341, 294(b), 323, 307, 506(11) and 109 of IPC against five persons including the petitioner herein. He would further submit that in the wound certificate, the Medical Officer has specifically mentioned that it was a road accident and that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that the petitioner has filed this petition seeking transfer of investigation only on the ground that in the wound certificate, it has been mentioned as road accident. He would further submit that the investigation is pending.



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4. Except the wound certificate, the petitioner has not canvassed any other reason or acceptable ground to transfer the investigation and hence this Court has no hesitation to hold that the present petition is filed abusing the process of law and hence the same is liable to be dismissed.

5. In the result, the Criminal Original Petition is dismissed.

12.08.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das

To

- 1.The Superintendent of Police,
Madurai District, Madurai.
- 2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
Usilampatti Twon Police Station,
Usilampatti, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

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