



Crl.O.P.(MD)No.13200 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13200 of 2024

S.Ali Akbar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Thiruvadanai Taluk,
Ramanathapuram District.

3.The Inspector of Police,
Thiruppalaikudi Police Station,
Thiruppalaikudi Village,
R.S. Mangalam Taluk,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to transfer the investigation of the complaint in FIR No.139 of 2024 dated 29.07.2024 on the file of the third respondent to the second respondent and the second respondent to investigate further and file final report, within the period as stipulated by this Court.



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For Petitioner : Mr.I.Kalantar Aasik Ahamadu
For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the first respondent to transfer the investigation of the complaint in FIR No.139 of 2024 dated 29.07.2024 on the file of the third respondent to the second respondent and the second respondent to investigate further and file final report, within the period as stipulated by this Court.

2. Admittedly, FIR came to be registered only on 29.07.2024.

3. The main contention of the petitioner is that though iron rod has been used, they have only added Section 115(2) BNSS.

4. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that 2 FIRs came to be registered against the petitioner in Crime Nos.140 and 141 of 2024 and are pending.



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5. Considering the above facts and circumstances, this Court is of the view that the prayer to transfer the investigation is premature and hence, this Court is not inclined to issue any direction. Hence, the Criminal Original Petition stands dismissed.

13.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Ramanathapuram District.
- 2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Thiruvadanai Taluk,
Ramanathapuram District.
- 3.The Inspector of Police,
Thiruppalaikudi Police Station,
Thiruppalaikudi Village,
R.S. Mangalam Taluk,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.13200 of 2024

Dated: 13.08.2024