



Crl.O.P.(MD)No.15279 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15279 of 2024

Ponniah

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation of the case in Crime No.633 of 2024 from the investigation of the case in Crime No.633 of 2024 from the file of the second respondent to any other investigating agency and to proceed further as per law established.

For Petitioner : Mr.N.Balasubramanian

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

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This criminal original petition has been filed seeking orders to transfer the investigation of the case in Crime No.633 of 2024 from the investigation of the case in Crime No.633 of 2024 from the file of the second respondent to any other investigating agency and to proceed further as per law established.

2.It is not dispute that on the basis of the complaint given by the petitioner, FIR came to be registered in Cr.No.632 of 2024 for the offences punishable under Sections 296(b), 118(1), 351(3) BNS and on the basis of the complaint given by other side, a counter FIR came to be registered in Cr.No.633 of 2024 for the offences under Sections 296(b), 118(1), 351(3) BNS.

3.The main contention of the petitioner is that the petitioner has suffered serious head injuries and was taken treatment as impatient. But, as rightly pointed out by the prosecution, even in the wound certificate issued by the Medical Officer, it has been stated only as simple injury.



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4.The learned Government Advocate(Crl.side) appearing for the respondents would submit that the second respondent, after completing investigation, has already filed the final report through E.Filing before the Jurisdictional Magistrate Court.

5.The petitioner has not shown any valid ground to transfer the case. Since the second respondent has already filed final report, nothing survives in this petition. Accordingly, this criminal original petition is disposed of. The petitioner is at liberty to file a protest petition before the concerned Court, if so advised.

19.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

1.The Superintendent of Police, Tirunelveli District.

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

gns

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