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Crl.O.P.(MD)No.15588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15588 of 2024

S.Mohan : Petitioner/Defacto Complainant

Vs.

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

2.The Deputy Superintendent of Police,
Rameswaram, Ramanathapuram District.

3.The Inspector of Police,
Rameswaram Temple Police Station,
Ramanathapuram District.
Crime No.32 of 2024.

4.The Inspector of Police,
CBCID, Ramanathapuram.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation in connection with Crime No.32 of 2024 on the file of the third respondent police to the fourth respondent or some other Investigating Agency by considering the petitioner's representation, dated 04.09.2024.

For Petitioner : Mr.T.Veerakumar



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

ORDER

This Criminal Original Petition has been filed, invoking Section 528 B.N.N.S., seeking orders, to transfer the investigation in connection with Crime No.32 of 2024 on the file of the third respondent police to the fourth respondent or some other Investigating Agency by considering the petitioner's representation, dated 04.09.2024.

2. It is not in dispute that the petitioner is a tenant; that the landlord has filed a Rent Control Petition and obtained orders in his favour and that the petitioner has filed an appeal along with condone delay petition and the same are pending.

3. The learned counsel for the petitioner would submit that after allowing of the Rent Control petition, the landlord and henchmen have trespassed into the property and taken away the goods available in the shop and that though on the basis of the compliant given by the petitioner, FIR came to be registered and thereafter, no action has been taken and that the second respondent has been threatening the petitioner to hand over the possession to the landlord.



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4. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.32 of 2024 for the offence under Sections 324(5), 331(4) and 305(a) BNS and investigation is pending.

5. Since the petitioner has raised allegations against the second respondent, the third respondent is directed to proceed with the investigation in Crime No.32 of 2024 and file a final report before the jurisdictional Court at an early date and the first respondent is directed to monitor the same

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

18.09.2024

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



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K.MURALI SHANKAR,J.

DAS

To

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

Order made in
Crl.O.P.(MD)No.15588 of 2024

Dated: 18.09.2024