



Crl.O.P.(MD)No.16812 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16812 of 2024

V.John

... Petitioner

Vs.

- 1.The Commissioner of Police,
Tirunelveli City, Tirunelveli.
- 2.The Assistant Commissioner of Police,
Melapalayam Zone, Tirunelveli City.
- 3.The State rep.by the Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
- 4.Thillai Nagarajan,
Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 and 2 to transfer the investigation from the third respondent to any other investigating officer or transfer to any other agency in connection with FIR in Crime No.286 of 2024 on the file of the third respondent based on the petitioner's representation, dated 13.08.2024.



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For Petitioner : Mr.M.Jegadeesh Pandian

For Respondents : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side)
for R1 to R3.

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of BNSS, to direct the respondents 1 and 2 to transfer the investigation from the third respondent to any other investigating officer or transfer to any other agency in connection with FIR in Crime No.286 of 2024 on the file of the third respondent based on the petitioner's representation, dated 13.08.2024.

2. The learned Government Advocate (Criminal Side) appearing for the State would submit that there existed disputes between two advocates and on the basis of the complaints given by both side, one FIR came to be registered in Crime No.286 of 2024 on the file of the Perumalpuram Police Station for the offence under Sections 147, 341, 294(b), 307 and 506(ii) IPC and the second FIR came to be registered in Crime No.351 of 2024 on the file of the Palayamkottai Police Station and that the petitioner is an accused in Crime No.286 of 2024 and that the Investigating Officer has already examined seven witnesses and the investigation is pending.



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3. The learned counsel for the petitioner would submit that there existed previous enmity between the petitioner and the fourth respondent and that the fourth respondent has registered the FIR and is proceeding with the investigation.

4. At this juncture, the learned Government Advocate (Criminal Side) would submit that the fourth respondent has already been transferred and the new Officer has assumed charge as Inspector of Police in the Perumalpuram Police Station.

5. Recording the submission made by the learned Government Advocate (Criminal Side), this Criminal Original Petition stands disposed of.

03.10.2024

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



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K.MURALI SHANKAR,J.

das

To

- 1.The Commissioner of Police,
Tirunelveli City, Tirunelveli.
- 2.The Assistant Commissioner of Police,
Melapalayam Zone, Tirunelveli City.
- 3.The State rep.by the Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.16812 of 2024

Dated: 03.10.2024