



Crl.O.P.(MD)No.19551 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.19551 of 2022

P.Swamidhas

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District at Nagercoil.

2.The Inspector of Police,
Colachel Police Station,
Kanyakumari District.

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to transfer the investigation of the case in Crime No.370 of 2020 on the file of the second respondent to some other investigating agency under the control of the first respondent.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to transfer the investigation in Crime No.370 of 2020 pending on the file of the second respondent to some other investigating agency under the control of the first respondent.



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2.The case of the petitioner is that there was some family dispute between the petitioner and his wife Kavitha and hence, both were living separately. At the instigation of his wife Kavitha, one Kennady and his wife, son and three other hooligans trespassed into the petitioner's house with deadly weapons and attacked the petitioner and caused grievous injury. Thereby, the petitioner made a complaint before the second respondent and the same was registered in Crime No.370 of 2020 for the offences under Sections 147, 148, 447, 294(b), 323, 324, 307 and 506(ii) of IPC. But till date, the second respondent police have not conducted the investigation in a proper manner. Hence, the present petition is filed for transfer of investigation.

3.The learned counsel for the petitioner would submit that this Court may issue a direction to transfer the the investigation in Crime No.370 of 2020 from the file of the second respondent to some other investigating agency under the control of the first respondent, within a reasonable time as fixed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondents would submit that this Court may issue a direction to the respondents police to complete the investigation within a reasonable time as fixed by this Court.



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5.In view of the above, the second respondent is directed to complete the investigation in Crime No.370 of 2020 and file a charge sheet before the concerned Court, within a period of twelve weeks from the date of receipt of a copy of this order. The investigation shall be monitored by the concerned Deputy Superintendent of Police.

6.With the above directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji
To

16.02.2024

- 1.The Superintendent of Police,
Kanyakumari District at Nagercoil.
- 2.The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Deputy Superintendent of Police,
Kanyakumari District at Nagercoil.



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M.DHANDAPANI, J.

Sji

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