



Crl.O.P.(MD)No.20837 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.20837 of 2022

Velmurugan

... Petitioner

Vs.

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

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

... Respondents

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C., to withdraw the case in Crime No.93 of 2020 from the file of the 2nd respondent and transfer the same to some other Police officer not below the rank of Deputy Superintendent of Police.

For Petitioner

: Mr.Perumal C T

For R1 and R2

: Mr.B.Nambiselvan,
Additional Public Prosecutor.



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ORDER

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This Criminal Original Petition has been filed to withdraw the case in Crime No.93 of 2020 from the file of the 2nd respondent and transfer the same to some other Police officer not below the rank of Deputy Superintendent of Police.

2. The learned counsel for the petitioner would submit that the petitioner made a complaint before the second respondent Police stating that he was brutally attacked by one Vibin and two others and so, he was admitted in hospital and underwent surgery, thereafter discharged and he was treated as out patient for more than two months. But the second respondent Police closed the said complaint as undetected. Hence, the present petition has been filed, seeking transfer of the case in Crime No. 93 of 2020.

3. The learned Additional Public Prosecutor would submit that though the earlier Station Officer referred the matter as undetected, there is prima facie available in this case, hence, the second respondent Police



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will reopen the case and investigate the same.

4. In view of the submissions made by the counsels on either side, the second respondent is directed to reopen the case in crime No.93 of 2020 and complete the said investigation under the supervision of the concerned Deputy Superintendent of Police, within a period of twelve weeks from the date of receipt of copy of this orders. The concerned Deputy Superintendent of Police is directed to supervise the case in Crime No.93 of 2020 on the file of the second respondent Police.

5. Accordingly, the Criminal Original Petition is disposed of.

21.02.2024

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

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M.DHANDAPANI,J.

Indu

To:

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

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