



Crl.O.P.(MD)No.21481 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21481 of 2024

P.Shanmugam Chettiar

... Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Pathibanoor Police Station,
Ramanathapuram District.
4. The Inspector of Police,
CBCID, Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents No.1 and 2 to transfer the investigation in Crime No.199 of 2024 pending on the file of the third respondent and entrust the same to the file of the fourth respondent.



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For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents No.1 and 2 to transfer the investigation in Crime No.199 of 2024 pending on the file of the third respondent and entrust the same to the file of the fourth respondent.

2. The contention of the petitioner is that the petitioner had dispute with his neighbour and he was assaulted by four persons, namely Sarbutheen, Parisbeevi, Thasleema and her sister. Based on the complaint of the petitioner, a case in Crime No.199 of 2024 for the offences under Sections 296(b), 115(2), 351(2) of BNS, has been registered against the accused persons. However, no action has been taken by the respondent police. The petitioner's complaint is that though the petitioner had name four persons, FIR has been registered only against three persons and Thasleema's sister has not been arrayed as an accused against whom the petitioner had given a specific overt act.



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3. The learned Additional Public Prosecutor would submit that it is a case and counter. Based on the complaint of the counter party, a case in Crime No.200 of 2024 has been registered as against the petitioner in which five persons have been examined and based on the complaint of the petitioner, a case in Crime No.199 of 2024 has been registered as against the accused persons in which six persons have been examined and the charge sheet is likely to be filed in the case. He further submitted that after completion of investigation, final report would be filed following the Police Standing Order 566. Since it is a case and counter, it would be appropriate for the Deputy Superintendent of Police, Paramakudi, to monitor the case.

4. In view of the above, the respondent police are directed to conduct the investigation and file a final report by following the Police Standing Order 566 and the second respondent is directed monitor the case. Accordingly, this Criminal Original Petition is disposed of.

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

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4. The Inspector of Police,
CBCID, Ramanathapuram,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

jbr

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