



CrI.O.P.(MD) No.23276 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P. (MD) No.23276 of 2023

K.Kannan

... Petitioner

vs.

1.The Superintendent of Police,

O/o. The Superintendent of Police,

Trichy District.

2. The Inspector of Police,

Musiri Police Station,

Musiri, Trichy District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 1st Respondent to transfer the enquiry of the complaint of the Petitioner dated 22.07.2023 on the file of the 2nd Respondent Police to some other Investigating Competent Authority for further enquiry in accordance with law.

For Petitioner : Mr.K.Ramamurthy

**For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor**



WEB COPY



Crl.O.P.(MD) No.23276 of 2023

ORDER

This Criminal Original Petition has been filed to direct the 1st Respondent to transfer the enquiry of the complaint of the Petitioner dated 22.07.2023 on the file of the 2nd Respondent Police to some other Investigating Competent Authority for further enquiry in accordance with law.

2. When the case came up for hearing today, the learned counsel for the Petitioner submits that he had filed this Petition seeking transfer of enquiry, from the 2nd Respondent Police.

3. The learned Additional Public Prosecutor submits that the Petitioner is employed as a Salesman in TASMACH Shop. The Petitioner is engaged in Sales of Liquor obtained from TASMACH, for which neighbour had preferred the Complaint before the Respondent Police. The Respondent Police had conducted enquiry.



Crl.O.P.(MD) No.23276 of 2023

WEB COPY

4. In the light of the submission of the learned Additional Public Prosecutor, the request of the learned counsel for the Petitioner cannot be accepted and the same is rejected. The Petitioner is directed to appear before the Respondent Police on summons. As per the reported ruling of the Honourable Supreme Court of India in ***Arnesh Kumar Vs. State of Bihar and another [2014 (8) SCC 273]***, the Respondent Police are directed not to harass the Petitioner. The Petitioner is also directed to co-operate to the pending enquiry, if summons had been issued by the Respondent Police.

5. With the above directions, this Petition is dismissed accordingly.

02.01.2024

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



WEB COPY



Crl.O.P.(MD) No.23276 of 2023

SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Trichy District.
2. The Inspector of Police,
Musiri Police Station,
Musiri, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P. (MD) No.23276 of 2023

02.01.2024