

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.15018 of 2015

C.Sreenivas ... Petitioner
Vs

The State rep.by
The Inspector of Police,
Kirumambakkam Police Station,
Puducherry. ... Respondent

Prayer:- Criminal Original Petition filed under Section 407 of the Code of Criminal Procedure to transfer the investigation in Crime No.140 of 2013 from the file of the respondent to any other appropriate investigative agency for further investigation.

For Petitioner :Mr.Sunder Mohan

For Respondent :Mr.M.R.Thangavel
Additional Public Prosecutor (Pondy)

ORDER

This petition has been filed to transfer the investigation in Crime No.140 of 2013 from the file of the respondent to any other appropriate investigative agency for further investigation.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Pondicherry) for the respondent and perused the material placed on record.

3.It appears that the respondent police registered a case in Crime No.140 of 2013 on 17.11.2013 in connection with the death of the petitioner's daughter in the hostel. It is seen that after completion of investigation, the respondent police have filed a final report before the Judicial Magistrate No.I, Puducherry, and now, the same has been transmitted to the learned Judicial Magistrate No.II, Puducherry. Assailing the correctness of the final report, this Criminal Original Petition has been filed for transfer and for further investigation.

4.To serve the interest of justice, this Court directs the petitioner to file a protest application before the learned Judicial Magistrate No.II, Puducherry and the learned Judicial Magistrate No.II, Puducherry, is directed to entertain the same and pass orders in accordance with law, as laid down by the Hon'ble Supreme Court in Vinay Tayagi V. Irshad Ali Alias Deepak and others reported in 2013(5) SCC 762.

With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Judicial Magistrate No.II,
Puducherry.

2.The Inspector of Police,
Kirumambakkam Police Station,
Puducherry.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.Sunder Mohan, Advocate,SR.30306.

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krd 6/7

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