

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.07.2015

CORAM

THE HONOURABLE MR. JUSTICE P.DEVADASS

Cr1.OP.No.18256 of 2015

T.Mani

.. Petitioner

Versus

State Rep by:

The Inspector of Police,
Vigilance and Anti Corruption,
Ariyalur Detachment,
Ariyalur.

Cr.No.1 of 2015

.. Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to transfer the investigation with respect of the Crime No.1/2015 pending on the file of the respondent to any other investigating agency and direct to proceed with investigation.

For Petitioner : Mr.R.Nalliyappan

For Respondent : Mr.P.Govindarajan
Addl. Public Prosecutor

O R D E R

Petitioner, who is A2 in Crime No.1 of 2015 seeks transfer of investigation to some other police officer than the present Investigation Officer namely Shridhar, Inspector of Police, Vigilance and Anti Corruption, Ariyalur.

2. According to the learned counsel for the petitioner, petitioner has been implicated in this case. He has been made to concern in this case by quirk of events.

3. The learned counsel for the petitioner further contends that the present Investigating Officer, namely Sridharan, Inspector of Police, compels the petitioner to turn an approver. Further, he is very much interested in securing conviction than investigating the case in a fair manner. His investigation is biased.

4. The learned counsel for the petitioner further submits that the said police official is instrumental in putting alleged tainted money into the pocket of the petitioner. Actually, the petitioner is a victim of circumstances.

5. On the other hand, the learned Additional Public Prosecutor would submit that the said police official is conducting fair investigation. He has collected evidence. Now he is waiting for sanction from the competent authority. Nothing personal to him, except his investigating crime registered. He is doing honest and unbiased investigation. He did not compel the petitioner to confess to the crime. The other contentions are concocted and invented.

6. I have given my anxious consideration to the rival submissions and perused the materials on record.

7. A1, who is a District Backward Class Welfare Officer is alleged to have demanded illegal gratification of Rs.18,000/- to discharge his legal duty through A2/petitioner, a warden in a Government Hostel from the defacto complainant. The case is being investigated into by Sridhar, Inspector of Police. Above him there is Deputy Superintendent of Police and above him there is Superintendent of Police, above him there is Joint Director and above him there is Director. Unlike in other cases registered by regular police, in corruption cases, investigation passes through several stages. and it is being vetted at various stages. The work of the Investigating Officer is checked by higher level police officer at various stages.

8. The two grounds raised by the petitioner for transfer of investigation has not been established.

9. In the circumstances, as there is no valid objection for transfer of the investigation, the direction sought for cannot be issued.

10. In the result, this Criminal Original Petition fails and it is dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Public Prosecutor,
High Court, Chennai.

2. The Inspector of Police,
Vigilance and Anti Corruption,
Ariyalur Detachment, Ariyalur.

+1cc to Mr.R. Nalliappan, Advocate, S.R.No.38283

+1cc to the Government Pleader, S.R.No.38569

MSM(CO)

EU(12/08/2015)

<https://hcservices.ecourts.gov.in/hcservices/>

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