

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.29630 of 2015

A.Rajesh

... Petitioner

Vs

1. The Commissioner of Police,
Chennai.
2. The Inspector of Police,
T-15, SRMC Police Station,
Porur, Chennai 600 116 ... Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to withdraw and transfer the investigation with respect to Crime No.910 of 2015 from the file of second respondent to the file of first respondent to conduct enquiry either by 1st respondent or by the officers duly deputed by the first respondent effectively and efficiently as expeditiously as possible and to file a final report thereon.

For Petitioner : Ms. P.Vasanth

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present petition has been filed seeking to withdraw and transfer the investigation in Crime No.775 of 2015 pending on the file of the second respondent to the first respondent.

2. The petitioner lodged a complaint as against one Parthasarathy, Neelakandan and Mohan for the alleged offence under Sections 294(b), 448, 506(ii) IPC and Section 3 of TNPPD Act. The said complaint was registered on 21.10.2015. The learned counsel for the petitioner submitted that the second respondent is

lethargic in conducting the investigation. When the petitioner approached the second respondent to know about the status, he was informed that the accused had availed anticipatory bail before this Court. The second respondent is unnecessarily dragging the proceedings without taking any action. Hence, the petitioner has come forward with the present petition to withdraw the said complaint from the second respondent and transfer to the first respondent.

3. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that now almost investigation was completed and one of the accused-A3 was arrested and A1 and A2 alone were released on Anticipatory Bail and within a short span of time, the respondent would file the charge sheet. At this juncture, this Court cannot entertain this petition.

4. In view of the submission made by the learned Additional Public Prosecutor that charge sheet will be filed within a short span of time and the second respondent is directed to expedite the investigation and file a final report as early as possible, preferably within a period of two months from the date of receipt of a copy of this order.

5. With the above directions, the Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

srn

To

1. The Commissioner of Police,
Chennai.
2. The Inspector of Police,
T-15, SRMC Police Station,
Porur, Chennai 600 116

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.P. Vasanth, Advocate, Sr. 67206

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