

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.8974 of 2015

and

M.P.No.1 of 2015

Murugesan

...Petitioner

Vs

1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

2.Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kancheepuram,
Kancheepuram District.

3.The Deputy Superintendent of Police,
CBCID,
Kancheepuram District,
Kancheepuram.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation in Crime No.487 of 2013 on the file of the second respondent police from his file to the third respondent or any other agency.

For Petitioner

:

Mr.R.Elavarasan

For Respondents

:

Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2.It appears that the investigation has been completed and closure report has also been filed. Aggrieved over the closure

report, the petitioner has also approached the learned Judicial Magistrate No.2, Kanchneepuram with a protest petition. The learned Judicial Magistrate has ordered further investigation. At this stage, the petitioner has come up with this petition seeking to transfer the investigation to the third respondent or any other agency on the ground that the learned Judicial Magistrate has sent the papers to the same Investigation Officer for further investigation.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the further investigation report is awaited from the Investigation Officer.

4.In my considered opinion, on filing further investigation report by the Investigating Officer, it is for the learned Judicial Magistrate concerned either to accept or to reject the same. It is too pre-mature for this Court to interfere with the investigation at this stage. Even transfer of the case as sought for by the petitioner will hamper the further investigation.

5.In view of all the above, the Criminal Original Petition is dismissed however, with liberty to the petitioner to work out his remedies in the manner known to law. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

2.Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kancheepuram,
Kancheepuram District.

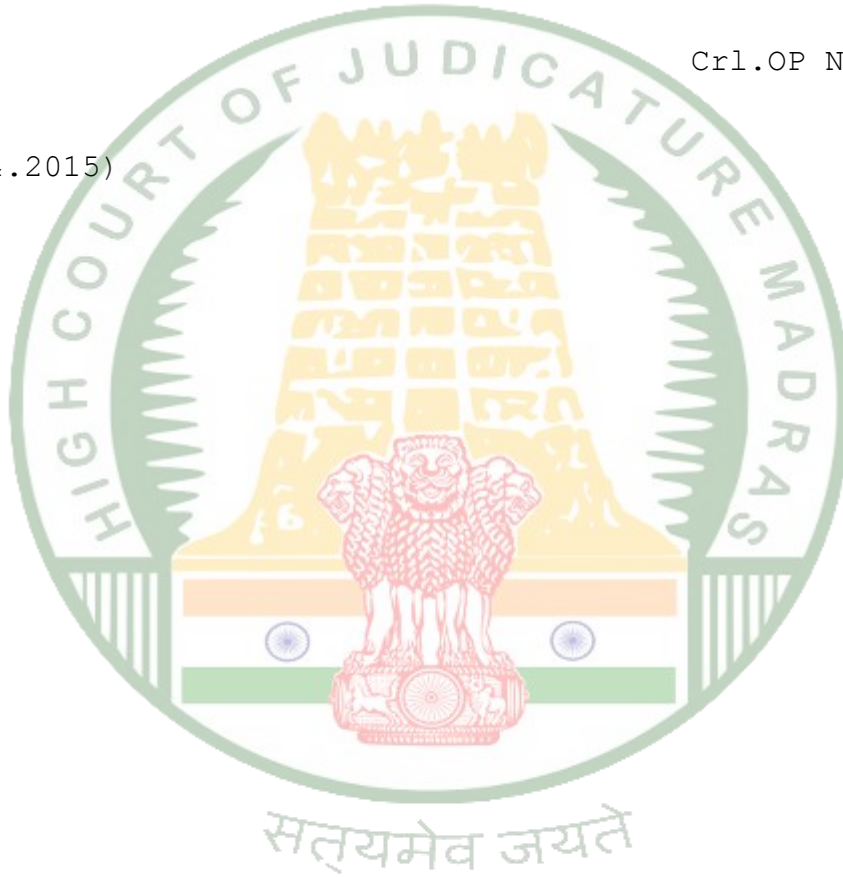
3.The Deputy Superintendent of Police,
CBCID,
Kancheepuram District,
Kancheepuram.

4.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.K.Balu, Advocate SR.No. 19796

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CRK (CO)
PSI (27.04.2015)



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