

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.934 of 2015

Palanisamy

...Petitioner

Vs

1.State rep. By
Sub Inspector of Police,
Thirupalapandal Police Station,
Villupuram District.

2.The Superintendent of Police,
Villupuram District,
Villupuram.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to withdraw the investigation in Crime No.45 of 2014 on the file of the first respondent police and hand over the same to the CB CID, Villupuram District, Villupuram for proper and fair investigation in the interest of justice.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.C. Emalias,
Additional Public Prosecutor

ORDER

Seeking a direction to the second respondent to withdraw the investigation in Crime No.45 of 2014 on the file of the first respondent police and hand over the same to the CB CID, Villupuram District, Villupuram, for proper and fair investigation, the petitioner has come up with this petition.

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

3.It is submitted by the learned Additional Public Prosecutor appearing for the respondents that the offence in Crime No.45/2014 has been altered from one under Section 174 Cr.P.C., to

Sections 498A and 306 I.P.C., and the investigation is in progress. Further, the first respondent is awaiting serological report and other reports.

4.Under such circumstances, the transfer of the case as sought for by the petitioner cannot be granted. However, the first respondent is directed to conduct enquiry in Crime No.45/2014 and file final report expeditiously before the jurisdictional Magistrate with due notice to the petitioner.

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

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

jbm

To

1.Sub Inspector of Police,
Thirupalapandal Police Station,
Villupuram District.

2.The Superintendent of Police,
Villupuram District,
Villupuram.

3.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.S.Saravana Kumar, Advocate SR.No. 22775

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SKV (CO)
PSI (30.04.2015)