



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2015

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE C.T.SELVAM

CRL.OP(MD)No.14080 of 2014

P.Syed Abudhahir ... Petitioner/Defacto Complainant

Vs.

- 1) The state represented by
The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2) The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No.125 of 2014)
- 3) The Inspector of Police,
C.B.C.I.D.,
Tirunelveli District. ... Respondents/Respondents

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to transfer the investigation in Crime No.125 of 2014 from the file of the second respondent to the file of the third respondent and consequently direct the third respondent to conduct proper investigation in an expeditious manner and to file the final report within the stipulated period as prescribed by this Court and pass such any or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.V.Rajarajan,
Government Advocate (Crl. Side)

O R D E R

This petition has been filed under Section 482 Cr.P.C., praying to transfer the investigation in Crime No.125 of 2014 from the file of the second respondent to the file of the third respondent and consequently direct the third respondent to conduct proper investigation in an expeditious manner and to file the final report within the stipulated period as prescribed by this Court.

2.Heard the learned counsel for the petitioner and also the learned Government Advocate(Crl. Side) appearing for the respondents.



3. Though the learned counsel for the petitioners submits that final report in Crime No.125 of 2014 on the file of the respondent police stands filed subsequent to the preference of this petition seeking transfer of investigation only towards undoing the rights of the petitioner to have the remedy sought, the report filed by the Investigation Officer dated 07.08.2014 informs that pursuant to the filing of the final report, notice stands served on the petitioner, who has appeared through counsel and sought time towards filing his objections to the final report. Therefore, in considering the protest petition moved by the petitioner before the concerned court, it would be open to the learned Judicial Magistrate to consider the facts and circumstances of the same and the final report in the light thereof and pass such orders as considered appropriate.

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

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

- 1) The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2) The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 3) The Inspector of Police,
C.B.C.I.D., Tirunelveli District.
- 4) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ses

RL/5 c- 21/1/2015

CRL.OP(MD)No.14080 of 2014