



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)No.5767 of 2015

and

M.P.(MD)No.1 of 2015

M.Kalyani

... Petitioner

Vs.

1.The Additional Director General of Police,
(Law and Order), Chennai.

2.The Commissioner of Police,
Trichy City, Trichy

3. The Inspector of Police,
City Crime Branch, Trichy City.

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to set aside the order dated 04.12.2014 passed by the second respondent in his proceedings C.No.C2/31071/TRC/2014 and restore the F.I.R. in Crime No.24 of 2014 to the file of the third respondent.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mrs.S.Prabha

Govt. Advocate (Crl.side)

: Mr.T. Antony Arul Raj

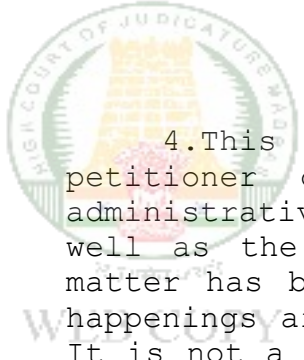
for intervenor

ORDER

This Criminal Original Petition is filed to set aside the order dated 04.12.2014 passed by the second respondent in his proceedings C.No.C2/31071/TRC/2014 and restore the F.I.R. in Crime No.24 of 2014 to the file of the third respondent.

2. Heard the learned Counsel for the petitioners, the learned Government Advocate (Crl.Side) appearing for the respondents and the learned Counsel for the intervenor.

3.The petitioner is the defacto complainant. He has given a case before the third respondent. The case was registered by him. Thereafter, the second respondent transferred the investigation to the Inspector of Police, Namakkal, on the ground that the alleged occurrence is said to have been happened both at Trichirappalli as well as Namakkal. It is also stated that since most of the happenings are at Namakkal, it is proper to transfer the investigation to the Station Officer, Namakkal. Challenging the same, the petitioner has come forward with this Criminal Original Petition.



4. This Court does not find any merit in this petition. The petitioner does not have any *locus standi* to challenge the said administrative order. It is not in dispute that the third respondent as well as the Station Officer, at Namakkal both have jurisdiction. The matter has been transferred for further investigation, since most of the happenings are at Namakkal and this is for convenience of investigation. It is not a case of the petitioner that the Station Officer does not have jurisdiction. The petitioner cannot be said to be aggrieved by this action.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, M.P.(MD)No.1 of 2015 is also dismissed. The Officer concerned at Namakkal, on whom the case has been transferred, is directed to file final report within a period of four months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Additional Director General of Police,
(Law and Order), Chennai.
2. The Commissioner of Police,
Trichy City, Trichy.
3. The Inspector of Police,
City Crime Branch, Trichy City, District Crime Branch
4. The Superintendent of Police, Namakkal
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. T.Lenin Kumar, Advocate in SR.No 29872

TS/26.06.2015/2P -7C

Cr1.O.P. (MD)No.5767 of 2015
and
M.P. (MD)No.1 of 2015

11.06.2015