

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.15043 of 2016

Selva Ganesh

... Petitioner

Vs

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

2.The Inspector of Police,
CBCID, Vellore,
Vellore District.

3.The Inspector of Police,
Sathuvacheri Police Station,
Vellore,
Vellore District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to withdraw the case in Crime No.230 of 2016 on the file of the 3rd respondent and to transfer the investigation to the 2nd respondent and to reinvestigate the case and file the final report within the stipulated time.

For Petitioner : Mr.M.Sathish Kumar

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

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O R D E R

This petition has been filed to withdraw the case in Crime No.230 of 2016 from the file of the 3rd respondent and transfer the investigation to the 2nd respondent and to reinvestigate the case and file final report within a stipulated time.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. On the complaint given by the petitioner against his neighbours, the respondent Police have registered a case in Crime No.230 of 2016 on 04.05.2016 for offences under Section 452, 324 and 379 IPC. Aggrieved by the manner in which the investigation is being carried on, the de facto complainant is before this Court for transferring the case to CBCID.

4. Mr.Sathish Kumar, learned counsel for the petitioner submitted that the accused are well known to the Investigating Officer and that the Investigating Officer is threatening the petitioner to withdraw the complaint.

5. Taking into consideration the nature of allegations in the FIR, this Court is of the view that this is not a fit case to transfer the investigation to CBCID or any other agency. These offences are normally investigated by the Sub Inspector of Police. Therefore, this Court directs the Inspector of Police, Sathuvachari Police Station, Vellore to conduct the investigation in a fair and unbiased manner and not harass the petitioner/de facto complainant and take action in accordance with law.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Inspector of Police,
CBCID, Vellore,
Vellore District.

3.The Inspector of Police,
Sathuvacheri Police Station,
Vellore, Vellore District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Sathish Kumar, Advocate, S.R.No.41446

CRL.OP.No.15043 of 2016

PVS (CO)

CA/16/08/2016)

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