

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.21679 of 2016
and
CMP No.10026 of 2016

R.Jayaraman

... Petitioner/Defacto
Complainant

Vs

1. State by
The Inspector of Police,
G-7, Achirapakkam Police Station,
Kancheepuram District.

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

3. The Inspector of Police,
CBCID, Kancheepuram District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation in Crime No.262 of 2016 on the file of the 1st Respondent to the 3rd respondent viz., The Inspector of Police, CBCID, Kancheepuram District.

For Petitioner : Mr.V.Chinnasamy

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

ORDER

This petition has been filed to transfer the investigation in Crime No.262 of 2016 on the file of the first respondent police to the third respondent police, i.e. The Inspector of Police, CBCID, Kancheepuram District.

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

3. On the complaint lodged by the petitioner, the first respondent police registered a case in Cr.No.262 of 2016 on 13.07.2016 against the unknown accused and the investigation is pending.

4. In the complaint given by the petitioner, he has given descriptions. He has stated that eight items have gone missing and only six items are mentioned in the FIR. Now, it is the contention of the petitioner that some more items have been lost and that he has given a representation dated 30.08.2016 to the Deputy Superintendent of Police, Kancheepuram in this regard.

5. In a case of the nature, it is always open to the police to record a further statement from the petitioner during investigation, in which he can give the description of all the items that he had lost.

6. Under such circumstances, this is not a fit case to transfer the investigation as prayed for by the petitioner. The respondent police is directed to record a further statement from the petitioner. The Deputy Superintendent of Police shall monitor the investigation.

With the above direction, the Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
G-7, Achirapakkam Police Station,
Kancheepuram District.
2. The Superintendent of Police,
Kancheepuram District, Kancheepuram.
3. The Deputy Superintendent of Police,
Kancheepuram District.
4. The Inspector of Police,
CBCID, Kancheepuram District.
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Chinnasamy, Advocate, S.R.No.56657

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RJ(CO)
CA(24/10/2016)