

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.22140 of 2016

P.Ravi

Petitioner

vs.

1.The Superintendent of Police-North Zone
Crime Branch-Criminal Investigation Department (CBCID)
No.220, Pantheon Road
Egmore, Chennai 600 008.

2.The Inspector of Police
Office of the Inspector of Police
E-5, Foreshore Estate Police Station
Pattinampakkam
Chennai 600 028.

3.The Inspector of Police
Office of the Inspector of Police
E-2, Royapettah Police Station
Chennai 600 014.

Respondents

Criminal Original Petition filed under Section 482, Cr.P.C.
to direct the 2nd respondent to transfer the investigation in
the petitioner's complaint dated 26.03.2016 in CSR No.90 of 2016
to the file of the 1st respondent.

For petitioner Mr.R.Gopinath

For Respondents Mr. C. Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct
the 2nd respondent to transfer the investigation in the
petitioner's complaint dated 26.03.2016 in CSR No.90 of 2016 to
the file of the 1st respondent.

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

3. It is seen that this petitioner has lodged a complaint dated 26.03.2016, in which a petition enquiry is pending CSR.No.90 of 2016, which the petitioner seeks to transfer from the file of the respondent police to any other police, on the ground that the police are not properly conducting enquiry on his petition.

4. In the considered opinion of this Court, such a transfer cannot be ordered in a petition u/s 482 Cr.P.C., in the light of the law laid down by the Supreme Court in State of Punjab v. Davinder Pal Singh Bhulla and others [(2011) 14 SCC 770] especially when regular case has not even been registered and only a petition enquiry is pending.

Hence, this petition is dismissed with a direction to the petitioner to co-operate in the enquiry and with a further direction to the respondent police to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order and either close the case or register a regular FIR.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gms
To

1.The Superintendent of Police-North Zone
Crime Branch-Criminal Investigation Department (CBCID)
No.220, Pantheon Road
Egmore, Chennai 600 008.

2.The Inspector of Police
Office of the Inspector of Police
E-5, Foreshore Estate Police Station
Pattinampakkam
Chennai 600 028.

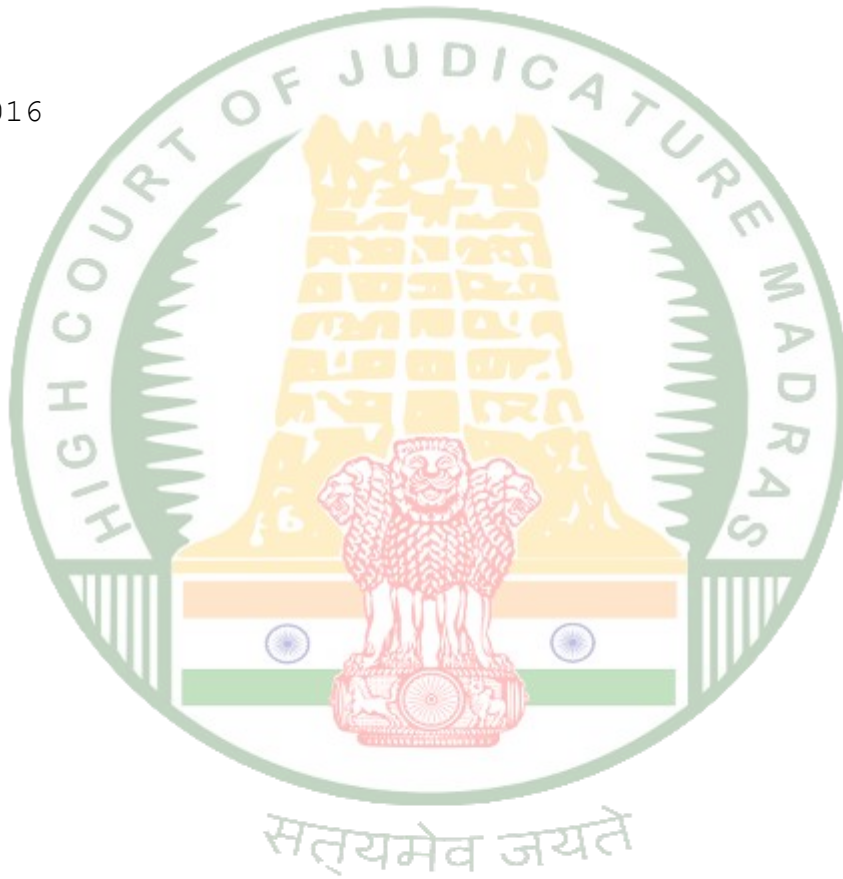
3.The Inspector of Police
Office of the Inspector of Police
E-2, Royapettah Police Station
Chennai 600 014.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.Mohan Law Firm Advocate sr 57256

Cr1.O.P. No.22140 of 2016

rsl(co)
aa08/11/2016



WEB COPY