

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4448 of 2016

J.Manonmani

.. Petitioner

Vs.

1.The Director General of Police,
Kamarajar Salai, Chennai.

2.The Additional Director General of Police,
CB CID, Egmore, Chennai.

3.The Commissioner of Police,
Vepery, Chennai.

4.The Inspector of Police
(Law and Order)
R6 Kumaran Nagar Police Station,
Chennai - 83.
Crime No.97 of 2016

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.97 of 2016 pending on the file of the 4th respondent to the 2nd respondent or any other independent investigation agency.

For Petitioner : Mr.R.Ravichandran

For Respondents: Mr.C.Emalias

Addl. Public Prosecutor

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O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the first respondent to transfer the investigation from the 4th respondent to the 2nd respondent or any other independent investigation agency.

2.The learned counsel for the petitioner submitted that the 4th respondent is not investigating the case in a proper

direction. He further submitted that even though the accused in Crime No.1492 of 2015 has not obtained anticipatory bail, the 4th respondent has not arrested the accused in Crime No.1492 of 2015 and he is supporting the accused by name C.D.Mani. He would also submit that the accused persons are politically influenced persons. Hence, he prays for transfer of investigation from the 4th respondent to the 2nd respondent or any other independent investigation agency.

3.Resisting the same, the learned Additional Public Prosecutor, would submit that the case has been registered only on 11.01.2016 and the investigation is going on in a proper direction. Hence, he prayed for dismissal of the petition.

4.Considered the rival submissions made by both sides and perused the typed set of papers.

5.The petitioner is the complainant in Crime No.97 of 2016. The alleged occurrence said to have taken place on 11.01.2016 at 8.15 a.m. and the complaint has been given on the same day at 11.00 a.m. against seven named persons and some unnamed persons. Further, the petitioner's husband has also given yet another complaint in Crime No.1492 of 2015 on 05.05.2015 for the alleged occurrence said to have taken place on 05.05.2015, in which one C.D.Mani filed a petition for anticipatory bail and the said petition was dismissed. The said accused was yet to be arrested in Crime No.1492 of 2015. But on perusal of the FIR, his name has not been mentioned as accused in Crime No.97 of 2016. In such circumstances, since the investigation is in earlier stage, I am of the view that it is too pre-mature to transfer the investigation. Hence, this petition deserves to be dismissed.

6.In the result, the Criminal Original Petition is dismissed.

-s/d-
Assistant Registrar

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Sub-Assistant Registrar

To

1.The Director General of Police,
Kamarajar Salai, Chennai.

2.The Additional Director General of Police,
CB CID, Egmore, Chennai.

3.The Commissioner of Police,
Vepery, Chennai.

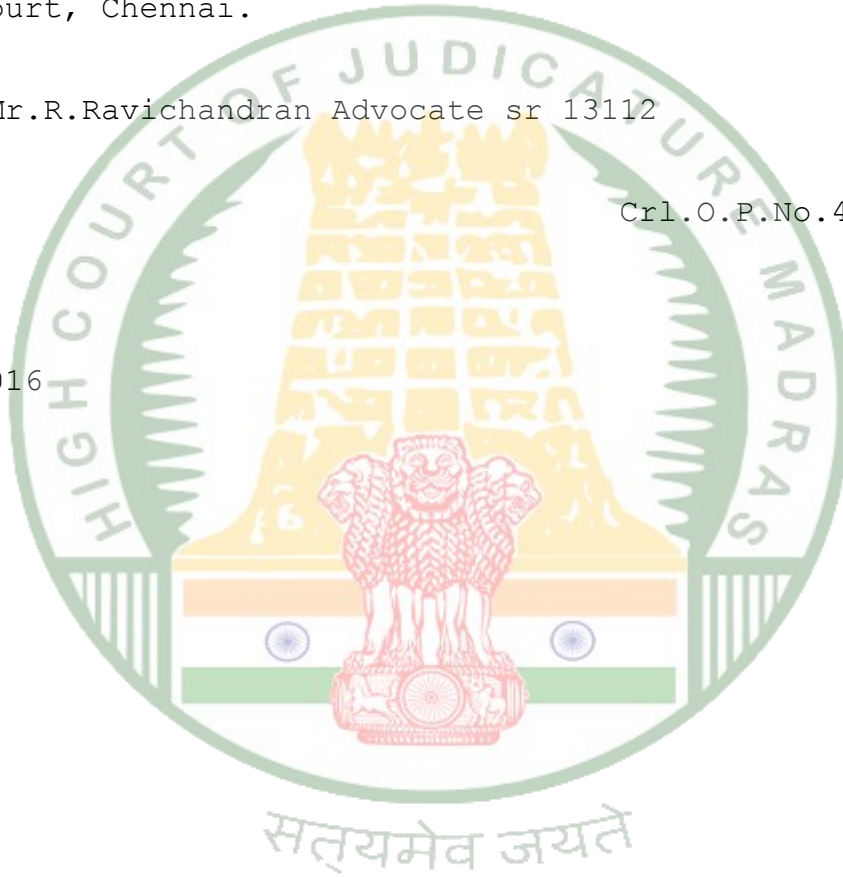
4.The Inspector of Police
(Law and Order)
R6 Kumaran Nagar Police Station,
Chennai - 83.

5.The Public Prosecutor
High Court, Chennai.

+1 cc to Mr.R.Ravichandran Advocate sr 13112

Cr1.O.P.No.4448 of 2016

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