

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.4635 of 2016

K.N.Subrayan

.. Petitioner/ Defacto Complainant

Vs.

State rep. by
The Inspector of Police,
K3 Aminjikarai Police Station,
Chennai - 23
(Crime No.1510/2015)

.. Respondent/ Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation to some other agency under the supervision of the Commissioner of Police in Crime No.1510 of 2015 on the file of the respondent police for continuing the investigation in accordance with law and file a charge sheet against the accused to secure the ends of justice.

For Petitioner : Mr.A.Bakkiyaraj

For Respondent : Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition to transfer the investigation to some other agency under the supervision of the Commissioner of Police in Crime No.1510 of 2015 on the file of the respondent police for continuing the investigation in accordance with law and file a charge sheet against the accused to secure the ends of justice.

2.The learned counsel for the petitioner submitted that on the basis of the complaint given by the petitioner, a case has been registered in Crime No.1510 of 2015 for the offences punishable under Sections 147, 148, 294(b), 323 and 506(ii) of IPC on the file of the respondent police. He further submitted that now the respondent police is threatening him to withdraw the complaint. Therefore, he prays for transfer of investigation from the respondent police to any other agency.

3.At this juncture, the learned Additional Public Prosecutor, would submit that the investigation has been completed and the matter is pending for obtaining wound certificate. He would further submit that the even though the summons were served on the petitioner and also affixed in the house of the petitioner, he is not co-operating for enquiry. 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 alleged occurrence said to have taken place on 23.12.2015, complaint has been given on the same day and a case has been registered in Crime No.1510 of 2015 for the offences punishable under Sections 147, 148, 294(b), 323 and 506(ii) of IPC. According to the learned Additional Public Prosecutor, investigation is considerably over and charge sheet is yet to be filed for obtaining wound certificate from the injured persons, namely, the petitioner, his wife and son. Therefore, I do not find any reason to transfer the investigation from the file of the respondent to any other agency. Hence, the Criminal Original Petition deserves to be dismissed as devoid of merits.

6.In the result, the Criminal Original Petition is dismissed. However, the petitioner along with his wife and son are directed to appear before the respondent police for completing the investigation.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

cse

To

1.The Inspector of Police,
K3 Aminjikarai Police Station,
Chennai - 23

2.The Public Prosecutor
High Court, Chennai.

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