



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) No.19574 of 2015

Balasubramanian

: Petitioner

-Vs-

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

2.The Inspector of Police,
Town Police Station,
Pattukottai,
Thanjavur District.

: Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.91 of 2015 on the file of the 2nd respondent to some other competent investigation agency or officer under the jurisdiction of the 1st respondent and consequently directing the 1st respondent to supervise the said investigation.

For Petitioner

: Mr.A.Vadivel

For Respondents

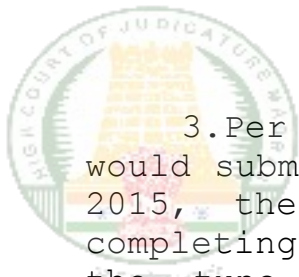
: Mr.K.Anbarasan

Govt. Advocate (Cr1.Side)

ORDER

This petition is filed to transfer the investigation in Crime No.91 of 2015 on the file of the 2nd respondent to some other competent investigation agency or officer under the jurisdiction of the 1st respondent and consequently, directing the 1st respondent to supervise the said investigation.

2.The learned Government Advocate (Criminal side), on instructions, would submit that originally, the case was registered under Section 174 of Cr.P.C and subsequently, after receiving the report of RDO, the case was altered into 304(B) IPC and the accused was also arrested and the investigation is going on in the right direction and there is no necessity to transfer the case.



3.Per contra, the learned counsel appearing for the petitioner would submit that the case was registered in the month of February 2015, the respondent police have not shown any interest in completing the investigation and the jewels of the deceased to the tune of 40 sovereigns and Sreedhana articles were not recovered by the respondent police.

4.Heard both sides and perused the materials available on record,.

5.It is seen that the respondent police have already altered the charge and also secured the accused in this case. According to the learned Government Advocate (Criminal side), they are awaiting for viscera report to file a charge sheet. So at this juncture, there is no necessity to transfer the investigation.

6.Hence, this petition is disposed of with a direction to the 2nd respondent police to complete the investigation and file a final report before the court concerned within a period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To,

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

2.The Inspector of Police, Town Police Station,
Pattukottai, Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.A.Vadivel, Advocate Sr.No.74959

GJM/SS2/KSM/12.1.17-2P-5C

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