



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.3683 of 2016

and

Crl.M.P. (MD) .No.1867 of 2016

P.Sasikumar

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.
2. The Inspector of Police,
Subramaniyapuram Police Station (L&O),
Crime No.654/2015.
3. The Inspector of Police,
CBCID,
Madurai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation of the case in Crime No.654 of 2015 pending on the file of the second respondent to the file of third respondent for investigation in accordance with law.

For Petitioner	: Mr.D.Malaichamy
For Respondents	: Mrs.S.Prabha
	Government Advocate (Crl.side)

O R D E R

The Criminal Original Petition has been filed to transfer the investigation in Crime No.654 of 2015 pending on the file of the second respondent to the third respondent for investigation in accordance with law.

2. On the directions of this Court, Mr.D.Gangadhar, the Deputy Commissioner of Police, Madurai City, Kottaisamy, Inspector of Police, Vijayakumar, Inspector of Police are present before this Court.



3. The learned Government Advocate (Crl.side) on instructions submitted that the accused have been placed under suspension and major penalty of charges have been framed against them. The learned Government Advocate (Crl.side) further submitted that the investigation in Crime No.654 of 2015 has been completed and final report has been filed in C.C.No.66 of 2016 before the learned Judicial Magistrate No.IV, Madurai and the case is posted for the appearance of the accused on 02.05.2016.

4. Under such circumstances, this is not a fit case to transfer the investigation. During the course of trial, if the evidence relating to higher offences, it is always open to the trial Court to alter the charges under Section 216 of Cr.P.C. Similarly, if the involvement of the other persons come to light, the trial Court has ample power to include such persons.

5. Recording the same, this Criminal Original Petition is closed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.IV, Madurai.
2. The Commissioner of Police, Madurai City.
3. The Inspector of Police,
Subramaniyapuram Police Station (L&O),
Crime No.654/2015.
4. The Inspector of Police, CBCID, Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+one cc to M/s.D.Malaichamy, Advocate in SR.No.19923

Akv

CSL/SKS-RR/03.05.2016 : 2p/7c

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