

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2017

CORAM

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

CrI.O.P.No.20673 of 2017

M.Murugan

..Petitioner/Defacto complainant

VS.

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

2. The Deputy Superintendent of Police,
Panruti,
Cuddalore.

3. The Inspector of Police
Nellikupam Police Station,
Cuddalore District.

.. Respondents/ Complainant

Prayer :- Criminal Original Petition filed under Section 482 of Cr.P.C to transfer the investigation in Crime No.602 of 2017 for the offence under Sections 341, 294(b), 324, 323, 506(i) IPC from the file of the third respondent police to the file of the Deputy Superintendent of Police, Panruti, Cuddalore under the supervision of the Superintendent of Police, Cuddalore and file a final report before the learned Judicial Magistrate, Cuddalore.

For Petitioner : Mr.A.Damodaran

For Respondent : Mr.P.Govindarajan,
Additional Public Prosecutor

ORDER

This petition is filed to transfer the investigation in Crime No. 602 of 2017 for the offence under sections 341, 294(b), 324, 323, 506(i) IPC from the file of the third respondent police to the file of the Deputy Superintendent of Police, Panruti, Cuddalore under the supervision of the Superintendent of Police, Cuddalore and file a final report before the learned Judicial Magistrate, Cuddalore.

2. A1 and A3 who are involved in Crime No. 602 of 2017 on the file of the Inspector of Police, Nellikuppam Police Station, are the police constables attached to the same Nellikuppam Police Station. Hence, the petitioner has filed the present petition seeking for transfer of the investigation.

3. The apprehension of the petitioner that there may not be a fair and imparital enquiry, seems to be acceptable, in view of the fact that two of the accused involved in the crime are attached to the same Police Station where the investigation is being done. Hence, it would be appropriate to transfer the

investigation to some other higher official since the accused are police constables.

4. In the result, this Criminal Original Petition stands allowed and the Investigation in Crime No. 602 of 2017 pending on the file of Nellikupam Police Station, Cuddalore, is directed to be transferred to the second respondent viz., the Deputy Superintendent of Police, Panruti, Cuddalore. Such exercise shall be carried out within one week from the date of receipt of copy of this order.

04.10.2017

Index : Yes/No

Internet : Yes/No

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To

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Deputy Superintendent of Police,
Panruti,
Cuddalore.
3. The Inspector of Police
Nellikupam Police Station,
Cuddalore District.

M.S.RAMESH,J

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Crl.O.P.No.20673 of 2017

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