

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

CrI.O.P.No.13582 of 2015

1.Shahul Hameed

2.M.Abdul Basheed Rahuman

3.Haji M.Mohamed Unus

4.A.Syed Sulthan Ibrahim

.. Petitioner/Accused

Vs

1. State rep.by
The Inspector of Police,
District Crime Branch,
Mangalam Police Station,
Mangalam,
Tiruppur District.

... Respondent/Complainant

2. S.Malarkodi

सत्यमेव जयते

.. Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the case in Crime No.172 of 2015 (Mangalam Police Station, Mangalam, Tiruppur) and now transferred and pending in District Crime Branch, Tiruppur and to quash the same.

For Petitioners

: Mr.V.Karthik

Senior Counsel for
Mr.V.Nicholas

For Respondent-1 : Mr.P.Govindarajan,
Additional Public Prosecutor

For Respondent-2 : No Appearance

ORDER

Petitioners have come up with the present petition seeking a direction to call for the records relating to the case in Crime No.172 of 2015 and quash the same.

2.Petitioners have raised various grounds to establish that the proceedings pending on the file of the first respondent deserves to be quashed, among which, he has also made allegations against the investigating officer. It is now brought to my notice that in this connection, the petitioner has also given a compliant dated 06.03.2015 to the Superintendent of Police, Tiruppur against the concerned Inspector of Police, Mangalam Police station and the Deputy Superintendent of Police, Tiruppur District based on which, charges have been framed against the said Inspector of Police and the enquiry is also pending.

3. At this juncture, learned Additional Public Prosecutor would submit that the complaint in Crime No.171 of 2015 had already been transferred to the file of District Crime Branch, Tiruppur District and that the petitioner cannot have any grievance if the investigation is conducted by the investigating officer at present.

4. Taking into account that the petitioner had made allegations against the investigating officer, I am of the view that it would be appropriate if the investigation is monitored by a superior officer.

5. In view of the above, this Criminal Original Petition stands disposed of, with the direction to the Superintendent of Police, Tiruppur District to monitor the investigation in Crime No.172 of 2015, which is now pending before the investigating officer, District Crime Branch, Tiruppur and ensure that the charge sheet is filed within a period of eight weeks from the date of receipt of a copy of this order.

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13.09.2017

Index : Yes/No
Website : Yes/No
smi

M.S.RAMESH, J.

To

1. The Inspector of Police,
District Crime Branch,
Mangalam Police Station,
Mangalam,
Tiruppur District.
2. The Superintendent of Police,
Tiruppur.
3. The District Crime Branch, Tiruppur
4. The Additional Public Prosecutor,
High Court, Madras.



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