

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :30.10.2017

Coram:

The Hon'ble Dr.Justice G.Jayachandran

Crl.O.P.No.8884 of 2011

and

M.P.Nos.1,2 and 3 & 4 of 2011

R.Moorthy

.. Petitioner

/versus/

- 1.The Home Secretary to the Government of Tamil Nadu, Secretariate, Chennai.
- 2.The Director General of Police, Dr.Radhakrishnan Salai, Mylapore, Chennai 600 004.
- 3.The Superintendent of Police, Villupuram District, Villupuram.
- 4.The Sub Inspector of Police, Villupuram Taluk Police Station, Villupuram.
- 5.The Inspector of Police, R-5, Virugambakkam Police Station, Appu Salai, Chennai 600 092.
- 6.The Superintendent of Police, Central Bureau of Investigations, 3rd Floor, Shastri Bhavan, No.26, Haddows Road, Nungambakkam, Chennai 600 006.
- 7.The Additional Director General of Police, Crime Branch, Criminal Investigation Department, Sidco Electronic Complex, Block No.3, First Floor, Guindy Industrial Estate, Chennai 600 032.
- 8.S.Sivaraj, M.L.A. No 34, 6th Cross Street R.A. Puram, Chennai 28.

.. Respondents

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to transfer the investigation in FIR No.169 of 2011 now pending on the file of the 4th respondent to the CBI, Chennai or any other competent agency and to conduct a fair and impartial investigation.

For petitioner :No appearance

For Respondents:Mr.K.Madhan, GA(crl.side) for
R1 to R5 & R7

Mr.K.Srinivasan, Spl.PP(CBI) for R6

Mr.A.Sasidharan for R8

O R D E R

The petitioner seeks change of investigation agency alleging that political parties power is involved in this case. Therefore, fair investigation will not be conducted.

2. The learned Special Public Prosecutor(CBI cases) appearing for the 6th respondent submits that scenario has changed. This matter is of the year 2011. There is no substance in the allegation made by the petitioner. In fact, the prosecution has fairly conducted the investigation and has filed a final report before the Judicial Magistrate No.I, Villupuram and the learned Magistrate has taken cognizance of the offence and has issued summons to the witnesses for examining them on 27.11.2017.

3. Recording the above, this criminal original petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1.The Home Secretary to the
Government of Tamil Nadu,
Secretariate, Chennai.

2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.
3. The Superintendent of Police,
Villupuram District, Villupuram.
4. The Sub Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.
5. The Inspector of Police,
R-5, Virugambakkam Police Station,
Appu Salai, Chennai 600 092.
6. The Superintendent of Police,
Central Bureau of Investigations,
3rd Floor, Shasthri Bhavan,
No.26, Haddows Road,
Nungambakkam, Chennai 600 006.
7. The Additional Director General of Police,
Crime Branch, Criminal Investigation Department,
Sidco Electronic Complex,
Block No.3, First Floor,
Guindy Industrial Estate, Chennai 600 032.
8. The Public Prosecutor, High Court, Chennai.
9. The Special Public Prosecutor (CBI Cases), Chennai.
- +1 CC to Mr.S. Pushpakaran, advocate sr 77810.

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MN(CO)
SP(22/11/2017)