

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.22591 of 2016

V. Vennila

... Petitioner

-Vs-

1. The State,  
Rep by the Superintendent of Police,  
Salem District, Salme.
2. The Inspector of Police,  
Theevatti Patti Police Station,  
Salem District  
(Crime No.154 of 2016)
3. The Deputy Superintendent of Police,  
C.B.C.I.D.  
Salem District, Salem.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to transfer the case in Crime No.253 of 2013 from the file of the second respondent police station to the third respondent police and further direct the third respondent to investigate and file a final report within the time stipulated by this Court.

For Petitioner : Mr.K.Balaji

For Respondents : Mr.P.Govindarajan  
Additional Public Prosecutor

O R D E R

According to the petitioner, her husband died due to an attack by the Sub-Inspector of Police and other officials belonging to Theevatti Patti Police Station, Salem District. The father of the deceased had given a complaint which is now being investigated by the Inspector of Police of the same Police Station namely Theevatti Patti Police Station, Salem District. The petitioner has filed this present petition and apprehended that the proper investigation may not be conducted by the second respondent in view of the investigation on the subordinate

officials.

2. The matter has been adjourned on five occasions from 06.10.2016 onwards. Though the learned Additional Public Prosecutor was directed to take instructions from the second respondent, the second respondent has not instructed him till date. In view of the same, it can be only concluded that the second respondent did not have any objection for the petitioner's request for transferring of investigation to the third respondent.

3. The learned counsel for the petitioner submitted that though the petitioner had given the compliant way back on 24.06.2013, the second respondent has not, till date, identified the accused and is trying to protect the culprits. Hence, the reason stated by the petitioner for transfer of investigation of the complaint of the petitioner's father-in-law, from the second respondent to the third respondent seems acceptable.

4. Under these circumstances, the investigation in Crime No. 253 of 2013 on the file of the second respondent police station is directed to be transferred to the third respondent, namely, the Deputy Superintendent of Police, CBCID, Salem District, Salem for the purpose of fresh investigation. The third respondent is further directed to conduct the investigation as expeditiously as possible and file a final report.

5. With the above observation, the criminal original petition stands allowed.

Sd/-

सत्यमेव जयते  
Assistant Registrar(CS VIII)

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Sub Assistant Registrar

rts/bri

To

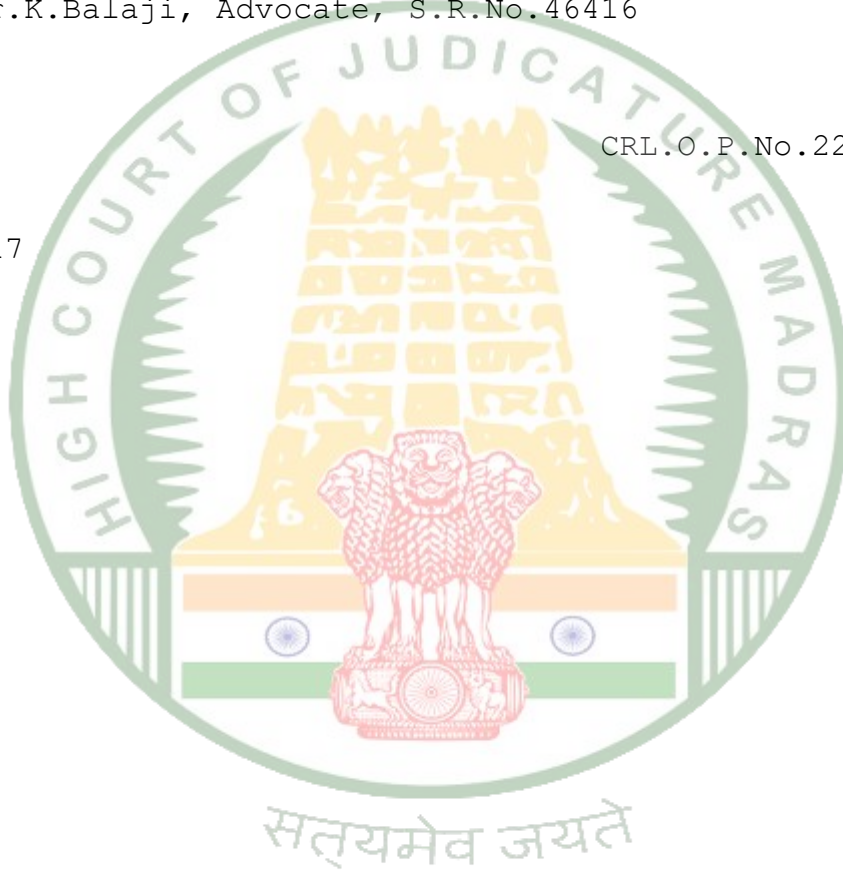
1. The Superintendent of Police,  
Salem District, Salem.

2. The Inspector of Police,  
Theevatti Patti Police Station,  
Salem District  
(Crime No.154 of 2016)
3. The Deputy Superintendent of Police,  
C.B.C.I.D.  
Salem District, Salem.
4. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.K.Balaji, Advocate, S.R.No.46416

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04.07.2017

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