



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P. (MD) .No.8219 of 2017

Meenatchi

.. Petitioner

Vs.

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

2.The Inspector of Police,
CBCID, Special Investigation Wing,
Theni, Theni District.

3.The Inspector of Police,
Devadanapatti Police Station,
Devadanapatti,
Theni District.

(In Crime No.298 of 2017)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct to withdraw and transfer the case in Crime No.298 of 2017 dated 1.6.2017 on the file of the respondent No.3 and entrust the same to the second respondent.

For Petitioner : Mr.J.Sivaram

For Respondents : Mr.K.Anbarasan

Government Advocate (Criminal side)

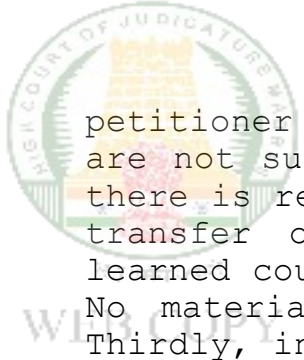
O R D E R

This petition is filed seeking a direction to withdraw and transfer the case in Crime No.298 of 2017 dated 01.06.2017 on the file of the respondent No.3 and entrust the same to the second respondent.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. The learned counsel for the petitioner submits that there are two other accused, who are not secured by the police and therefore, investigation should be transferred to a different

4.Firstly, though some grounds have been raised by the



petitioner to transfer the investigation to a different agency, they are not sufficient grounds for transfer. It is settled that unless there is reasonable apprehension of unfair and unjust investigation, transfer of investigation should not be ordered. Secondly, the learned counsel has alleged that investigation is not properly done. No material is produced before this Court to prove the same. Thirdly, in this case except stating that two of the accused are not arrested no other valid reasons are stated. If investigation reveals that involvement of any other persons, the respondent police would include them also since the criminal case is registered only on the basis of the complaint given by the petitioner.

5. Considering the above facts and circumstances, this Court is not inclined to transfer the investigation. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Theni District, Theni.
- 2.The Inspector of Police,
CBCID, Special Investigation Wing,
Theni, Theni District.
- 3.The Inspector of Police,
Devadanapatti Police Station,
Devadanapatti, Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CM

TE/JC/SAR-I : 13/07/2017 : 2P/5C

Cr1.O.P (MD) No.8219 of 2017
03.07.2017