

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.Nos.28429 & 28430 of 2017

and

Crl.M.P.Nos.16146 & 16147 of 2017

R.Vijay .. Petitioner in Crl.O.P.No.28429/17

R.Ramesh ... Petitioner in Crl.O.P.No.28430/17

Vs.

1. The Superintendent of Police,
Salem District.
2. The Deputy Superintendent of Police,
Crime Branch Criminal Investigation Department,
Salem District.
3. The Inspector of Police,
Thalaivasal Police Station,
Salem District. .. Respondents in both the Crl.O.Ps

Prayer in both the Crl.O.Ps: Criminal Original Petition filed under Section 482 Cr.PC, praying to transfer the investigation of the cases registered in Crime No.93 of 2017 and 94 of 2017 respectively, pending investigation on the file of the Inspector of Police, Thalaivasal Police Station, Salem District to the file of Deputy Superintendent of Police, Crime Branch Criminal Investigation Department, (CBCID), Salem.

For Petitioners : Mr.S.Jayakumar in both the Crl.O.Ps
Govt.Advocate (Criminal Side)

For Respondents : Mrs.P.Kritika Kamal in both the Crl.O.Ps

O R D E R

These criminal original petitions have been filed to transfer the investigation of the cases registered in Crime No.93 of 2017 and 94 of 2017, pending investigation on the file of the Inspector of Police, Thalaivasal Police Station, Salem District to the file of Deputy Superintendent of Police, Crime

Branch Criminal Investigation Department, (CBCID), Salem.

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

3 In view of the fact that the petitioners have made certain allegations against the Investigating Officer/3rd respondent himself, of having colluded with the accused, it would not be appropriate to permit the 3rd respondent herein to continue with the investigation. It is made clear that this Court has not expressed any of its opinion on the remarks made by the petitioners herein. Nevertheless, in order to meet the ends of justice and to ensure the fair and impartial investigation to be done, the investigation in Crime Nos.93 and 94 of 2017, now pending on the file of the third respondent police, is directed to be transferred to the Deputy Superintendent of Police, Vazhapadi Sub-Division, Salem District.

4 With the above observations and directions, the criminal original petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Salem District.
2. The Deputy Superintendent of Police,
Crime Branch Criminal Investigation Department,
Salem District.
3. The Inspector of Police,
Thalaivasal Police Station,
Salem District.
4. The Deputy Superintendent of Police,
Vazhapadi, Sub Division,
Salem District.

5. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.S.Jayakumar, Advocate, S.R.No.3440, 3442

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SAI (CO)
RRK(08/02/2018)



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