



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.17492 of 2018

Gopi

... Petitioner

Vs

State rep. by its

1. The Superintendent of Police,
Villupuram District.

2. The Inspector of Police,
Mailam Police Station,
Villupuram District.

3. The Inspector of Police,
CBCID,
Villupuram District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 1st respondent to transfer the investigation in Crime No.265/2018 pending on the file of the 2nd respondent to the 3rd respondent or some other agency in the same District.

For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Ms.Kritika Kamal
Govt. Advocate [Crl. Side]

O R D E R

This petition has been filed to transfer the investigation in Crime No.265 of 2018 from the file of the 2nd respondent to the file of the 3rd respondent or some other agency in the same District.

2.On the complaint lodged by the petitioner, the 2nd respondent registered a case in Crime No.265 of 2018 on 30.05.2018 under Section 147, 148, 294[b], 323, 324, 307 IPC and Section 4 of TNPHW Act, 2002 against Krishnamoorthy, Ramakrishnan, Periyasamy and Padmavathy. For transferring



which, the petitioner/de facto complainant is before this Court, on the ground that investigation is not progressing in the right lines.

3. Heard the learned counsel for the petitioner and the learned Government Advocate [Cr1. Side] appearing for the respondents.

4. Learned counsel for the petitioner submitted that the petitioner had suffered severe injuries, inasmuch as, he was brutally attacked by the accused and that, the Police are not taking sufficient steps to apprehend all the accused.

5. Per contra, the learned Government Advocate [Cr1. Side] submitted that the Police have arrested Krishnamoorthy [A1] and Periyasamy [A4] and the other accused have approached the Courts for anticipatory bail. She also submitted that there is a counter case in Crime No.264 of 2018, in which, this petitioner has been shown as accused.

6. Taking into consideration the facts and circumstances of the case, this Court is of the view that this is not a fit case to transfer the investigation to the CBCID. Hence, this Court directs the Deputy Superintendent of Police, in charge of Mailam Police Station to monitor the investigation in Crime No.265 of 2018 that is being conducted by the 2nd respondent and complete the same expeditiously.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gya
To

1. The Superintendent of Police,
Villupuram District.

2. The Deputy Superintendent of Police,
in Charge of Mailam Police Station.



3. The Inspector of Police,
Mailam Police Station,
Villupuram District.

WEB COPY

4. The Inspector of Police,
CBCID,
Villupuram District.

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Mohammed Aseef, Advocate Sr.45891

CRL.OP.No.17492 of 2018

cp[col
srg 20/07/2018