

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P. No.23827 of 2018

U.Mohan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Thiruvallur District Police, Thiruvallur.
- 2.The Deputy Superintendent of Police,
Thiruthani, Thiruvallur District.
- 3.The Inspector of Police,
Thiruthani Police Station,
Thiruthani, Thiruvallur District.

... Respondents

PRAYER : This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation of the case in Crime No.617 of 2018 from the file of the 3rd Respondent to the 2nd Respondent and consequently to direct the 2nd Respondent to investigate the case and file a final report in accordance with law.

For Petitioner : Mr.R.Diwakaran

For Respondents : Mr.C.Raghavan

Government Advocate (Crl.Side),

O R D E R

This petition has been filed by the petitioner seeking to transfer the investigation in Crime No.617 of 2018, which is pending on the file of the third respondent.

2.When the matter came up for admission on 08.11.2018, this Court directed the respondents police to file a status report. Today, the third respondent has filed a status report before this Court. A reading of the status report reveals the fact that the third respondent has carried on with the investigation effectively. A copy of the status report was also handed over to the counsel for the petitioner. The third respondent is now

awaiting for the chemical analysis report, the final opinion from the postmortem doctor, and to record statements of the chemical analyst and also the postmortem doctor. On receipt of the same, the investigation will be completed by the third respondent police. The investigation has also been handed over to another Investigating Officer and the present officer is taking care of the investigation from 12.11.2018.

3.The learned counsel for the petitioner would submit that in this case, the mobile phone and also the laptop belonging to the deceased will provide a lot of information to the respondent police in the course of investigation. Admittedly, it has already been seized by the respondent police under mahazar based on the confession of the accused persons. The learned counsel would further submit that the respondent police should be directed to send the mobile phone as well as the laptop for obtaining a report from the specialist, since it involves deciphering information from the mobile phone and laptop.

4.This Court is satisfied with the investigation conducted by the third respondent. Therefore, this Court does not want to interfere with the investigation at this stage. The third respondent in the course of investigation shall consider sending the laptop and also the mobile phone that has been seized in the course of investigation, to obtain a report from an expert, since it will involve downloading from the concerned mobile phone / laptop and it requires the help of a specialist. In fact, it will be useful for the third respondent to take the help of a specialist to ensure that all the materials are properly gathered from the mobile phone and the laptop, which has already been seized.

5.With the above directions, the Criminal Original Petition is disposed of and the third respondent is also directed to continue with the investigation effectively and to complete the same as expeditiously as possible and file a final report before the concerned Jurisdictional Magistrate.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

stm/gsp
To

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

2.The Deputy Superintendent of Police,
Thiruthani,
Thiruvallur District.

3.The Inspector of Police,
Thiruthani Police Station,
Thiruthani.

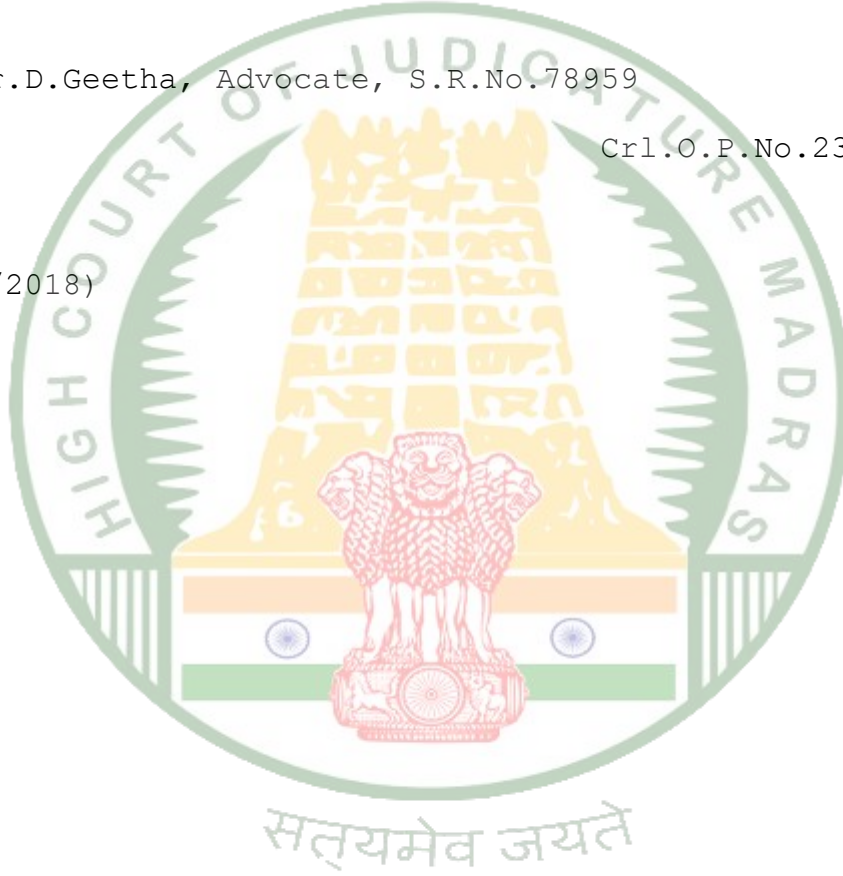
Thiruvallur District.

4.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.D.Geetha, Advocate, S.R.No.78959

Crl.O.P.No.23827 of 2018

SPD(CO)
GSP(04/12/2018)



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