



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.08.2018
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD)Nos 5908 and 14611 of 2018
and
Crl.M.P(MD) No.6524 of 2018

Mohammed Sirajudeen ... Petitioner in both Crl.O.P's
Vs.

1. The State represented by
The Inspector of Police
City Crime Branch
Trichy City, Tiruchirappalli
(Crime No. 2 of 2018) ...1st respondent in both Crl.O.P's
2. The Inspector of Police
Central Crime Branch-I
O/o.The Commissioner of Police
Chennai ..2nd respondent in
Crl.O.P(MD) No. 5908 /18
3. Thothappa Naina Mohammed Sirajdheen
..2nd respondent in Crl.O.P(MD) No. 14611 /18
and 3rd respondent in 5908/18

Prayer in Crl.O.P (MD) No.5908 of 2018: This Criminal Original
Petition filed under Section 482 Cr.P.C. to direct the case in Crime
No. 2 of 2018 on the file of the first respondent be withdrawn and
transferred to the file of the second respondent.

Prayer in Crl.O.P (MD) No.14611 of 2018: This Criminal Original
Petition filed under Section 482 Cr.P.C. to call for the records
relating to FIR in Crime No. 2 of 2018 on the file of the CCB,
Trichy and quash the same.

For Petitioner : Mr.R.Diwakaran(In Crl.O.P(MD)No.5908/18)
Mr.R.Rajesh Kumar(In Crl.O.P(MD)No.14611/18)

For Respondents : (In Crl.O.P(MD) No.5908 of 2018)
Mrs.S.Bharathi
Government Advocate for R1 and R2
Mr.C.Jeganathan for R3.
(In Crl.O.P(MD) No.14611 of 2018)
Mrs.S.Bharathi
Government Advocate for R1
Mr.Venkatraman
Senior Counsel for R2.

ORDER

The Criminal Original Petition No.5908 of 2018 has been filed to direct the case in Crime No. 2 of 2018 on the file of the first respondent be withdrawn and transferred to the file of the second respondent

2. The Criminal Original Petition No.14611 of 2018 has been filed to call for the records relating to FIR in Crime No. 2 of 2018 on the file of the CCB, Trichy and quash the same

3. It is seen from the records that the Crime No.310 of 2017 and Crime No.397 of 2017 has been registered in Chennai by Central Crime Branch and both these cases have been transferred to the file of the CBCID, Chennai for further investigation, by virtue of the proceedings of the DGP in R.C. No.016002/HR Cell/2018, dated 11.07.2018.

4. The present Crime No.02 of 2018 also is connected with facts which are common to the above referred two crime numbers . The petitioner and the defacto complainant are accused persons in the above referred crime numbers and in Crime No.2 of 2018 as among the accused persons, in the above two crime numbers, one of them has given a complaint against the petitioner herein and the same is pending investigation on the file of the Central Crime Branch, Trichy.

5.The facts that are involved in all the three crime numbers mentioned above needs to be investigated by a common investigating agency since all the cases are connected with the other. It will not be in the interest of justice to continue with a parallel investigation being conducted by two different agencies. It is also seen from the proceedings of the Deputy General of Police dated 11.07.2018 that two of the crime numbers have already been transferred for further investigation to CBCID, Chennai. Therefore, it will be fit and appropriate to transfer this Crime No. 2 of 2018 also to the file of the CBCID, Chennai in order to enable a single agency to investigate all the above three Crime numbers.

6.Therefore, this Court deems it fit to transfer the Crime No. 2 of 2018 to the file of the CBCID, Chennai to be investigated along with the Crime Nos.310 of 2017 and 397 of 2017.

7. With the above direction, the Criminal Original Petitions are closed. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar(CS-II)



To

1. The Inspector of Police
City Crime Branch
Trichy City, Tiruchirappalli.
2. The Inspector of Police
Central Crime Branch-I
O/o.The Commissioner of Police
Chennai
3. The Inspector of Police
CBCID, Chennai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.VEERA ASSOCIATES, Advocate SR.No. 79447

Crl.O.P.(MD)Nos.5908 and
14611 of 2018
20.08.2018

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JM/SKN RSK/SAR 2/31.08.2018/3P/6C