



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2018

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.12681 of 2018

Annakalangiam

... Petitioner

Vs

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

2.The Inspector of Police,
Natham Police Station,
Dindigul District.

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

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the 1st respondent to transfer and entrust the case for investigation in Crime No.259 of 2018 on the file of the 2nd respondent to the 3rd respondent and to file a final report before the Jurisdictional Judicial Magistrate within a stipulated period of time framed by this Court.

For Petitioner : MrM.Vijayakumar

For Respondents : Ms.S.Bharathi,

Government Advocate (Crl.Side)

O R D E R

This petition has been filed for transfer of the investigation in Crime No.259 of 2018 on the file of the second respondent.

2. The learned Government Advocate would submit that initially an FIR was registered under Section 174 of CrPC and subsequently an altered FIR was filed for an offence under Section 306 of IPC. The viscera report is awaited till date and therefore, the respondent Police is not in a position to file a final report.

3.The second respondent has also filed a counter affidavit, wherein it is stated that ten witnesses have been examined and in the course of investigation, the FIR was altered for an offence under Section 306 of IPC.



4. In view of the above development, there is no requirement to transfer the investigation at this stage, since the investigation is at crucial stage. Accordingly, the criminal original petition is disposed of.

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/True Copy/

Sd/-

Assistant Registrar(P&A)

Sub Assistant Registrar(CS-III)

To

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Natham Police Station,
Dindigul District.
3. The Inspector of Police,
CBCID, Dindigul,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.Thambi Durai , ADVOCATE IN SR No. 83972.

dsk

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