



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE R.PONGIAPPANCr1.O.P.(MD)No.3892 of 2013

B.Danial

... Petitioner

Vs.

1.The Director General of Police,
Santhome, Chennai.2.The Superintendent of Police,
Tuticorin District, Tuticorin.3.Inspector of Police,
District Crime Branch,
Tuticorin, Tuticorin District.4.Inspector of Police,
Seithunganalloor Police Station,
Tuticorin, Tuticorin District.5.Sub Inspector of Police,
Seithunganalloor Police Station,
Tuticorin, Tuticorin District.6.Inspector of Police,
C.B.C.I.D.,
Madurai, Madurai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to withdraw the investigation in Crime No.111 of 2012 on the file of the 4th respondent and in Crime No.12 of 2012 on the file of the 3rd respondent and to transfer the investigation to 6th respondent or to any other competent investigation agency.

For Petitioner : Mr.S.J.Chakkaravarthy
For M/s.Eddy and Emboss

For Respondents : Mr.A.Robinson, G.A.(Cr1.side)

ORDER

This Criminal Original Petition has been filed to direct the respondents to withdraw the investigation in Crime No.111 of 2012 on the file of the 4th respondent and Crime No.12 of 2012 on the file of the 3rd respondent and to transfer the investigation to 6th respondent or to any other competent investigation agency.

2.The petitioner herein is the de facto complainant in Crime Nos.111 of 2012 and 12 of 2013. Now as per the submissions made by the learned Government Advocate (Crl.side) appearing for the State, in Crime No.111 of 2012, after completing the investigation, charge sheet has been filed and same was taken on file as C.C.No.88 of 2012. He further added that now the case was posted for examination of the prosecution witnesses 1 to 3.

3.On the same way the learned Government Advocate (Crl.side) submitted that in Crime No.12 of 2012, the learned Judicial Magistrate No.III, Thoothukudi passed an order dated 16.12.2017, directing the Deputy Superintendent of Police, Thoothukudi to investigate the matter and filed an enquiry report, within a period of three months.

4.Considering submission made by the learned Government Advocate (Crl.side) and also considering the order passed by the learned Judicial Magistrate No.III, Thoothukudi, the prayer sought for in this Criminal Original petition has become infructuous. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

- 1.The Director General of Police,
Santhome, Chennai.
- 2.The Superintendent of Police,
Tuticorin District, Tuticorin.
- 3.Inspector of Police,
District Crime Branch,
Tuticorin, Tuticorin District.
- 4.Inspector of Police,
Seithunganalloor Police Station,
Tuticorin, Tuticorin District.



5. Sub Inspector of Police,
Seithunganalloor Police Station,
Tuticorin, Tuticorin District.

6. Inspector of Police,
C.B.C.I.D.,
Madurai, Madurai District.

7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO M/S.S.J.CHAKKARAVARTHY, ADVOCATE, SR NO.46967

Crl.O.P. (MD) No.3892 of 2013
06.02.2018

gns

MS/SKN-RSK/SAR-1/26.03.2018/3P.9C