



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2018
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD) .No.5353 of 2013
and
M.P. (MD) .No.1 of 2013

Sirajudhin

...Petitioner

Vs

1.State represented by its Secretary,
Home Department, Secretariat,
Fort St.George, Chennai.

2.The Commissioner of Police,
Madurai City Police,
South Chithirai Street,
Madurai.

3.The Superintendent of Police,
CBCID, Narimedu,
Madurai.

4.The Assistant Commissioner of Police,
City Crime Branch, Madurai.

5.The Inspector of Police,
Sellur Police Station, Sellur.

6.V.Mohan,
Sub Inspector of Police,
Sellur Police Station, Madurai.

...Respondents

Prayer: This petition filed under Section 482 of Cr.P.C to direct the respondent Nos.1 and 2 to withdraw the case in P.R.C.No.10 of 2012 in Cr.No.3108 of 2009 pending on the file of the respondent Nos.4 and 5 and entrust the same to the respondent No.3 for fair investigation and to file the final report within a time frame fixed by this Court.

For Petitioner
For Respondents

: No Appearance
: Mr.Robinson
Government Advocate (Cr1 side)

ORDER

The petitioner seeks withdrawal of the case, that is presently pending at the stage of committal proceedings and entrust the same for re-investigation in Crime No.3108 of 2009 to the third respondent for fair investigation.



2.As rightly pointed out by the learned Government Advocate (Cr1 side), the petitioner before this Court does not represent the victim or the de facto complainant. He is the close relative of the accused and he cannot ask for transfer of investigation. There is no locustandi.

3.In view of the above, the petition is dismissed as not maintainable. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate,
Madurai.
- 2.The Secretary to the Government,
Home Department, Secretariat,
Fort St.George, Chennai.
- 3.The Commissioner of Police,
Madurai City Police,
South Chithirai Street,
Madurai.
- 4.The Superintendent of Police,
CBCID, Narimedu,
Madurai.
- 5.The Assistant Commissioner of Police,
City Crime Branch, Madurai.
- 6.The Inspector of Police,
Sellur Police Station, Sellur.
- 7.The Sub Inspector of Police,
Sellur Police Station, Madurai.
- 8.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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