



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.14111 of 2011
and
M.P. (MD) .No.1 of 2011

V.Megavarnam

...Petitioner

Vs.

1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai-600 009.

2.The Director General of Police,
Chennai-4.

3.The Additional Director General of Police,
C.B.C.I.D, Chennai.

4.The Inspector of Police,
C.B.C.I.D. (O.C.U),
Trichy City, Trichy.

5.The Central Bureau of Investigation,
College Road,
Nungambakkam, Chennai-36.

... Respondents

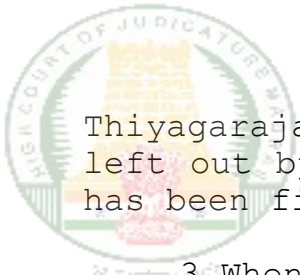
PRAYER: This Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to transfer the investigation of the criminal case registered in Crime No.66 of 2006 which is now pending before the fourth respondent to the fifth respondent or any other specialized agency.

For Petitioner	:	Mr.A.Jayam Subramanian
For R1 to R4	:	Mr.M.Karuppasamy Government Advocate
For R5	:	Mr.N.Nagendiran Special Public Prosecutor For CBI Cases

ORDER

Heard the learned counsel on either side.

2.The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this Writ Petition. This permission to withdraw has been given after the Court specifically found that the petitioner who is present in person before this Court has suppressed the material fact the petitioner has met the accused when he was in prison. Thereafter, the statement of the accused under Section 164 of Cr.P.C was taken. In the said statement, one



Thiyagarajan, was implicated. Alleging that he has been deliberately left out by the Police, this Petition for transfer of investigation has been filed.

3. When the matter was taken up for final hearing, the Prosecution produced the said material which shows that the petitioner met the accused in the prison. When confronted with the position, the petitioner who is present in person along with the learned counsel sought leave to withdraw this Writ Petition.

4. Since the petitioner is guilty of suppression of very material of fact, this Court levies a sum of Rs.1,000/- on the petitioner. The amount must be payable to the Chief Justice Relief fund.

5. The Writ Petition stands dismissed as withdrawn. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Home Department,
Fort St. George,
Chennai-600 009.
2. The Director General of Police,
Chennai-4.
3. The Additional Director General of Police,
C.B.C.I.D, Chennai.
4. The Inspector of Police,
C.B.C.I.D. (O.C.U),
Trichy City, Trichy.
5. The Central Bureau of Investigation,
College Road,
Nungambakkam, Chennai-36.

Copy to :

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Special Government Pleader, SR.No.70996.

W.P. (MD) .No.14111 of 2011
02.07.2018