

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 5325 of 2018

G. Sampath

... Petitioner

-Vs-

1. The Superintendent of Police,
Perambalur District,
Perambalur.
 2. The Inspector of Police,
Kunnam Police Station,
Perambalur District.
 3. The Correspondent,
Ramakrishna School (Higher Secondary)
Perambalur District.
 4. Sudha
 5. The Additional Director General of Police,
CB CID Wing,
Guindy, Chennai.
- ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to consider the representation of the petitioner dated 05.10.2016 and to withdraw and transfer the case in Crime No. 550 of 2016 on the file of the 2nd respondent and to entrust the same to 5th respondent like Independent agency CBCID to conduct re-investigation in accordance with law.

For Petitioner : No Appearance

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor-R1,R2 & R5

No Appearance - R3 & R4

ORDER

The prayer sought for in the present petition is to direct the 1st and 2nd respondents to consider the representation of the petitioner dated 05.10.2016 and to withdraw and transfer the case in Crime No. 550 of 2016 on the file of the 2nd respondent and to entrust the same to 5th respondent like Independent agency CBCID to conduct re-investigation in accordance with law.

2. No appearance for the petitioner as well as respondents 3 & 4. Heard the learned Additional Public Prosecutor appearing for the respondents 1, 2 & 5.

3. In view of the fact that the crime has been registered in Cr. No. 550 of 2016 and the investigation is also under progress, it would not be proper to give direction to transfer the case at this stage, which would amounts to interference with the investigation. Considering the fact that the crime number is pending from the year 2016, it would be appropriate to direct the 2nd respondent to complete the investigation and file a report. Accordingly, the 2nd respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order.

With the above directions, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Perambalur District, Perambalur.
2. The Inspector of Police,
Kunnam Police Station, Perambalur District.
3. The Additional Director General of Police,
CB CID Wing, Guindy, Chennai.
4. The Public Prosecutor,
High Court, Madras.

W.P.No.5325 of 2018

CSL/01.06.2019