

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.4234 of 2019

M.Palanisamy

... Petitioner

Vs.

1. State represented by the
Superintendent of Police,
Krishnagiri District.
- 2.The Deputy Superintendent of Police,
Uthangarai, Krishnagiri District.
- 3.Inspector of Police,
Singarapettai Police Station,
Singarapettai, Uthangarai Taluk,
Krishnagiri District.
- 4.Chinnasamy
Sub-Inspector of Police,
Singarapettai Police Station,
Singarapettai, Uthangarai Taluk,
Krishnagiri District.

... Respondents

Prayer : Criminal Original petition filed under Section 482 of Code of Criminal Procedure to transfer the investigation in Crime No. 9 of 2019 on the file of the third respondent police to any other investigating agency and conduct fresh investigation.

For Petitioner : Mr.G.Arul Murugan

For Respondent 1: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

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O R D E R

The prayer sought for in this petition is to transfer the investigation in Crime No. 9 of 2019 on the file of the third respondent police to any other investigating agency and conduct fresh investigation.

2. The learned counsel for the petitioner would submit that FIR has been registered in Crime No.9 of 2019 on the file of

third respondent. It seems that the accused persons are relative to the fourth respondent who is none other than the Sub-Inspector of Police. Therefore, after registering the FIR, the third respondent did not take any action against the accused persons. When the matter came up for hearing on 25.02.2019, this Court directed the third respondent to file status report along with statement recorded from the victim under Section 164 of Cr.P.C. Though the direction given by this Court, the third respondent did not recorded any statement and did not take any appropriate action against the accused persons. Hence, he prayed for transfer of case from the file of third respondent to any other investigating agency and conduct fresh investigation.

3. Considering the facts and circumstances of the case, Crime No.9 of 2019 is directed to be withdrawn from the file of third respondent and transferred to the file of the Inspector of Police, CB-CID, Krishnagiri District. The Superintendent of Police of CB-CID, Uthangarai shall monitor the investigation and ensure that the inspector of Police shall conduct enquiry in fair and proper manner and file the final report within a period of three months from the date of receipt of entire case record from the third respondent.

4. With the above directions, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

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To

1. The Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police,
Uthangarai, Krishnagiri District.
3. The Inspector of Police,
Singarapettai Police Station,
Singarapettai, Uthangarai Taluk,
Krishnagiri District.
4. The Public Prosecutor,
High Court, Madras.

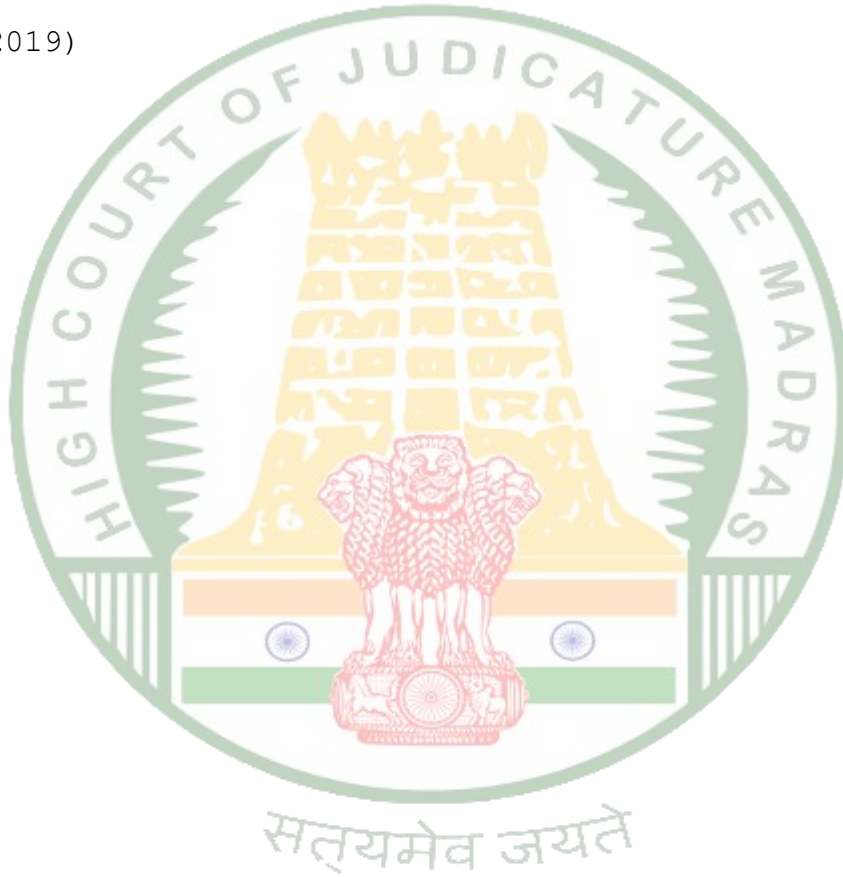
5. The Superintendent of Police
CBCID, Uthangarai, Krishnagiri District.

6. The Inspector of Police
CBCID, Krishnagiri.

+1 CC to Mr.Arul Murugan, Advocatesr 19736.

Cr1.O.P.No.4234 of 2019

NRL (CO)
SP (10/04/2019)



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