

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8338 of 2019

E.Sathya

... Petitioner

Vs.

1.The Principal Secretary to Government
Home Department
State of Tamil Nadu
Fort St. George, Secretariat
Chennai 600 009

2.The Director General of Police
Office of the Director General of Police
Radhakrishnan Salai
Mylapore
Chennai-04

3.The Commissioner of Police
Chennai Police, Vepery
Chennai-07

4.The Deputy Commissioner of Police
Office of the Commissioner of Police
Ambathur District
Avadi, Chennai -54

5.The Inspector of Police
T-6, Police Station
Avadi, Chennai-54

6.The Additional Director General of Police
Crime Branch CID
Chennai

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to withdraw the investigation of the case registered in Crime No.684 of 2017 pending on the file of the 5th respondent herein and transfer the same to the file of the 6th respondent for fair and denova investigation.

For Petitioner : Mr.Gowthaman

For Respondents: Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

The Criminal Original Petition has been filed by the petitioner to withdraw the investigation of the case registered in Crime No.684 of 2017 pending on the file of the 5th respondent herein and transfer the same to the file of the 6th respondent for fair and denova investigation.

2.The learned counsel for the petitioner would submit that the petitioner sent a representation to the Inspector General of Registration , Santhome, Chennai, seeking the relief of getting back the original deeds and to take legal action against the accused gang and prosecute the same as per law. The 5th respondent has not conducted the investigation in a fair and conscious manner so as to rule out the possibility of fabrication of evidence. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that the investigation is already completed and filed a final report before the learned Judicial Magistrate-II, Poonamallee on 17.07.2018 and the referred charge sheet has also been served to the petitioner.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

5.In view of the above submissions made by the learned Additional Public Prosecutor, the transfer of investigation does not arise. Hence, the respondent police is hereby directed to serve the referred charge sheet to the petitioner. The petitioner on receipt of the same, is at liberty to file a protest petition before the learned Judicial Magistrate-II, Poonamallee.

6.Accordingly, this criminal original petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To.

1.The Principal Secretary to Government
Home Department
State of Tamil Nadu
Fort St. George, Secretariat
Chennai 600 009

2.The Director General of Police
Office of the Director General of Police
Radhakrishnan Salai
Mylapore
Chennai-04

3.The Commissioner of Police
Chennai Police, Vepery
Chennai-07

4.The Deputy Commissioner of Police
Office of the Commissioner of Police
Ambathur District
Avadi, Chennai -54

5.The Inspector of Police
T-6, Police Station
Avadi, Chennai-54

6.The Additional Director General of Police
Crime Branch CID
Chennai

7.The Public Prosecutor,
High Court, Madras.

+1cc to K.Gowthaman, Advocate Sr.39219

WEB COPY

Cr1.O.P.No.8338 of 2019

ln[co]
srg 30/05/2019