

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.07.2019

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17327 of 2019

Samitha ...Petitioner/Defacto Complainant

Vs.

State by

Inspector of Police,

S-10, Pallikaranai Police Station,

Chennai 600 010

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to transfer the investigation in Crime No.431 of 2019 pending on the file of the Inspector of Police, S-10, Pallikaranai Police Station, Chennai to some other Inspector of Police, under the supervision of Assistant Commissioner of Police, Pallikaranai.

For Petitioner :Mr.Ramesh Kumar K.R

For Respondent :Mr.M.Mohammed Riyaz

Additional Public prosecutor

O R D E R

This petition has been filed seeking for transfer of investigation in Crime No.431 of 2019, pending on the file of the respondent police.

2. It is the grievance of the petitioner that the petitioner had given a complaint as against six named accused persons and five others and the same was registered in Crime No.431 of 2019. However, there was absolutely no progress in the investigation. The accused persons had given a complaint against the petitioner which was registered in Crime No.228 of 2019 and in the said complaint, the petitioner was arrested and later was released on bail. The said FIR is also pending on the file of the same respondent police.

3. The learned counsel for the petitioner submitted that the accused persons are influential and they are continuously causing harassment to the petitioner and there has been one sided investigation on the part of the respondent police. Therefore, the present petition has been filed seeking for transfer of investigation.

4. Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

5. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that the investigation in Crime No.431 of 2019 and Crime No.228 of 2019 can be transferred to the file of the Assistant Commissioner of Police, Madipakkam, in order to ensure a fair investigation in this case. The respondent police is directed to hand over the entire case diary to the Assistant Commissioner of Police, Madipakkam, within a period of two weeks from the date of receipt of copy of this order. The Assistant Commissioner of Police, Madipakkam, is directed to proceed further with the investigation in both the cases and shall complete the investigation as expeditiously as possible and file a final report.

6. This Criminal Original petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. State by
Inspector of Police,
S-10, Pallikaranai Police Station,
Chennai 600 010

2. The Assistant Commissioner of Police,
Madipakkam

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.R.Ramesh Kumar, Advocate, S.R.No.55694

Cr1.O.P.No.17327 of 2019

SJ(CO)

RRS (08/07/2019)