

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.17723 of 2019

M.Mariappan

... Petitioner

Vs.

1.The State represented by
The Superintendent of Police,
Tiruvallur District, Tiruvallur.

2.The Deputy Superintendent of Police,
Nethaji Road, Tirutanni Road,
Tiruvallur, Tiruvallur District - 602 001.

3.The Inspector of Police,
B-1, Town Police Station,
Tiruvallur, Tiruvallur District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.261 of 2019 dated 07.06.2019, pending on the file of the third respondent to some other agency.

For Petitioner : Mr.K.Balasubramaniam

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

ORDER

This petition has been filed seeking transfer of investigation pending before the third respondent in Crime No.261 of 2019.

2.It is seen from records that the First Information Report itself has been registered only on 07.06.2019 and the grievance of the petitioner is that the third respondent is favouring the accused person and he is forcing the petitioner to withdraw the complaint.

3.The learned counsel for the petitioner submitted that the complaint was given in the year 2018 and since no First

Information Report was registered, he approached the learned Judicial Magistrate No.I, Tiruvallur under Section 156(3) of Cr.P.C and pursuant to the directions given by the Judicial Magistrate, the First Information Report came to be registered only on 07.06.2019. Therefore, the learned counsel for the petitioner submitted that the third respondent is biased and he is not conducting the investigation in a proper manner.

4.The learned Additional Government Pleader appearing for the respondent police submitted that admittedly, there are civil suits pending between the parties and the third respondent is conducting the investigation strictly in accordance with law. The learned Additional Government Pleader further submitted that absolutely, there is no ground for transfer of investigation.

5.This Court has carefully considered the materials placed on records.

6.The First Information Report itself came to be registered only on 07.06.2019 and it is hardly one month since the investigation had commenced and this Court is of the considered view that this petition is pre-matured. The petitioner has to give some reasonable time to the respondent police to proceed further with the investigation. If at a later point of time, the petitioner finds that the investigation is not progressing, it is always left open to the petitioner to approach this Court at that point of time. For the present, this Court does not want to interfere with the investigation conducted by the third respondent.

7.This Criminal Original Petition is disposed of accordingly and the respondent police is directed to complete the investigation within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

pnn

To

1.The Superintendent of Police,
Tiruvallur District, Tiruvallur.

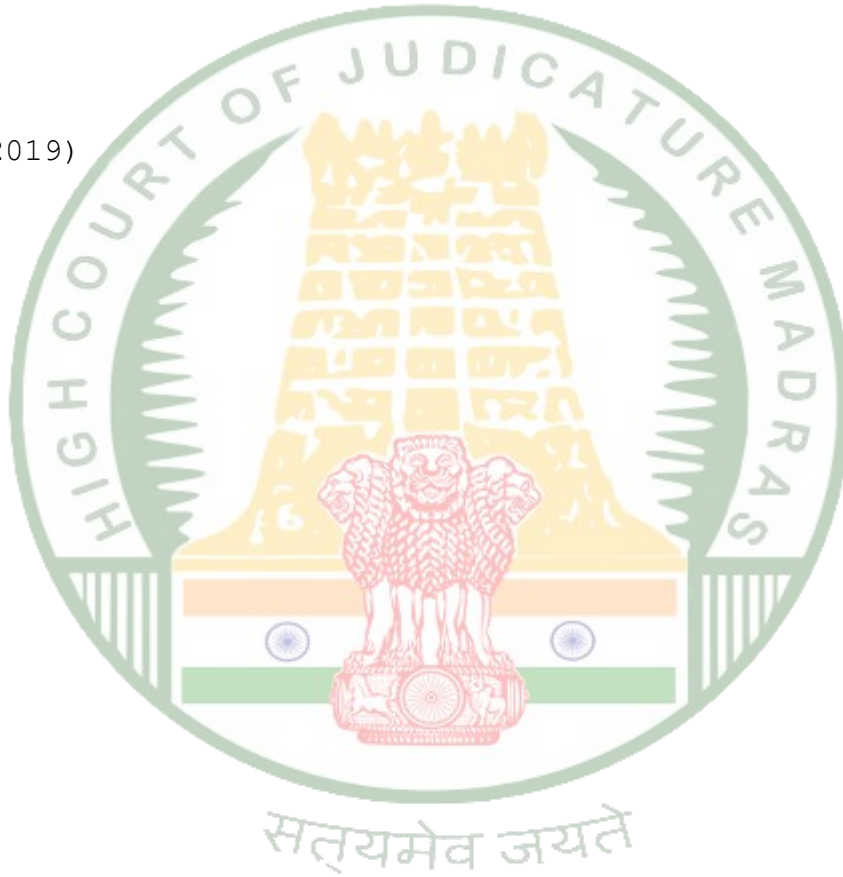
2.The Deputy Superintendent of Police,
Nethaji Road, Tirutanni Road,
Tiruvallur, Tiruvallur District - 602 001.

3.The Inspector of Police,
B-1, Town Police Station,
Tiruvallur, Tiruvallur District.

4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.17723 of 2019

PM(CO)
GN(14/08/2019)



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