

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18404 of 2019

M.Bhagavathi

...Petitioner

Vs.

1. State represented by
The Commissioner of Police,
Greater Chennai
Vepery, Chennai.
 2. The Deputy Commissioner of Police,
P1, 3rd Avenue, Anna Nagar,
Chennai-600 040.
 3. The Assistant Commissioner of Police,
P1, 3rd Avenue, Anna Nagar,
Chennai-600 040.
 4. The Inspector of Police,
K-2, Ayanavaram Police Station,
Ayanavaram, Chennai-600 023.
- ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to transfer the investigation in Crime No.275 of 2019 dated 08.05.2019, pending on the file of the 4th respondent to some other agency.

For Petitioner : Mr.Balasubramaniam.K

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

O R D E R

This petition has been filed seeking for transfer of investigation in Crime No.275 of 2019, pending on the file of the 4th respondent.

2.The husband of the petitioner met with an accident and he died. An FIR came to be registered in Crime No.275 of 2019 for an offence under Section 304-A of IPC.

3. The grievance of the petitioner is that the CCTV footage are available at the scene of occurrence and the same has not

been verified by the respondent police in the course of investigation and therefore, the petitioner has no faith in the investigation conducted by the 4th respondent.

4. The learned Additional Public Prosecutor submitted that the investigation is going on and if CCTV footage is available, the same will also be taken into consideration in the course of investigation and the transfer cannot be ordered on a mere apprehension.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the FIR itself came to be registered only on 08.05.2019, this Court is not inclined to transfer the investigation at this stage.

6. The respondent police shall take into account the CCTV footage, if it is available and shall proceed further with the investigation and complete the investigation as expeditiously as possible and file a final report before the competent Court.

7. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CCC)

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To

Sub Assistant Registrar

1. The Commissioner of Police,
Greater Chennai
Vepery, Chennai.
2. The Deputy Commissioner of Police,
P1, 3rd Avenue, Anna Nagar,
Chennai-600 040.
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P1, 3rd Avenue, Anna Nagar,
Chennai-600 040.
4. The Inspector of Police,
K-2, Ayanavaram Police Station,
Ayanavaram, Chennai-600 023.
5. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.Balasubramaniam, Advocate, S.R.No.59544

CrI.O.P.No.18404 of 2019

SSP(CO)
SSM(28/08/2019)