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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18508 of 2019

M.Ramesh

...Petitioner

Vs.

1. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.
 2. The Inspector of Police,
H-3, Maraimalai Nagar Police Station,
Kanchipuram.
 3. The Inspector of Police,
CBCID,
Kanchipuram District,
Kanchipuram.
- ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to withdraw the case in Crime No.241 of 2019 on the file of the 2nd respondent and transfer the same to the 3rd respondent to conduct free and fair investigation.

For Petitioner : Mr.K.Thenrajan

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.241 of 2019, pending on the file of the 2nd respondent.

2.The wife of the petitioner died under suspicious circumstances in a hospital and therefore, based on the complaint given by the petitioner, an FIR has been registered by the respondent on 08.06.2019 under Section 174 of Cr.P.C.

3. The grievance of the petitioner is that there is absolutely no progress in the investigation and even, the statement of the petitioner has not been taken by the respondent



police. Therefore, the petitioner is seeking for transfer of investigation.

4. The learned Additional Public Prosecutor submitted that FIR itself was registered only on 08.06.2019 and the investigation is in progress. The learned counsel submitted that the petitioner has approached this Court only based on an apprehension and that the police should be given some time to complete the investigation and file a final report.

5. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that this transfer petition is premature. It is hardly one month since the complaint was registered by the respondent police. Therefore, the respondent police must be given some time to make progress in the investigation. The 2nd respondent police shall proceed further with the investigation by recording the statement of the petitioner and other witnesses and shall complete the investigation as expeditiously as possible and file a final report before the competent Court.

6. If the petitioner, at a later point of time finds that the investigation is not progressing on the right line, it is always open to the petitioner to approach this Court at that point of time.

7. This Criminal Original Petition is disposed of accordingly.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.
2. The Inspector of Police,
H-3, Maraimalai Nagar Police Station,
Kanchipuram.
3. The Inspector of Police,
CBCID,
Kanchipuram District,
Kanchipuram.



4.The Public Prosecutor,
High Court, Madras.

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+1 CC to Mr.K.Thenrajan, Advocate sr 60335.

Cr1.O.P.No.18508 of 2019

SSD(CO)
SP(06/09/2019)