

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.OP No.20692 of 2019

M.Sivalingam .. Petitioner/Defacto Complainant
Vs.

1.The Additional Director,
CBCID, Tamil Nadu Police,
Head Office, Anna Salai,
Chennai 600 004.

2.The Superintendent of Police,
Salem,
Salem District.

3.The Inspector of Police,
Magudam Chavadi Police Station,
Magudamchavadi,
Salem District.

.. Respondents

PRAYER:- Criminal Original Petition filed under Section 482 Cr.P.C., to withdraw and transfer the investigation in Crime No.603 of 2017 on the file of Inspector of Police, Magudamchavadi Police Station, Salem District to Inspector of Police, CBCID, Salem District to secure the ends of justice.

For Petitioner : Mr.R.Srinivasarao

For Respondents : Mr.C.Iyyapparaj for R1 to R3
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to withdraw and transfer the investigation in Crime No.603 of 2017 on the file of Inspector of Police, Magudamchavadi Police Station, Salem District to Inspector of Police, CB-CID, Salem District.

2. The petitioner herein has sought for transfer of the investigation on the ground that the police are trying to implicate him for the offences, which caused the death of his brother.

3. The learned Additional Public Prosecutor has filed a status report dated 22.10.2019, from the third respondent /

police which states that during the course of investigation, four witnesses were examined and as per their statements motive for the murder has been implicated on the petitioner, since there was property dispute and also the deceased was having illegal intimacy with petitioner's wife.

4. In view of the specific stand taken by the respondent / Police, which evidences were collected during the course of investigation, this Court is not able to find any fault on the part of the investigation. As such, it would not be appropriate to transfer the investigation at this stage. Hence, the Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Additional Director,
CBCID, Tamil Nadu Police,
Head Office, Anna Salai,
Chennai 600 004.
- 2.The Superintendent of Police,
Salem,
Salem District.
- 3.The Inspector of Police,
Magudam Chavadi Police Station,
Magudamchavadi,
Salem District.
- 4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.R.Srinivasarao,Advocate Sr.No. 95944

AKM/16.12.19/2P-6C /

Cr1.OP No.20692 of 2019