

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.23569 of 2019
and
W.M.P.No.23389 of 2019

S.Devi

...Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Tiruppur District.

2.The Deputy Superintendent of Police,
O/o.Superintendent of Police,
Tiruppur District.

3.State represented by
The Inspector of Police,
Kangayam Police Station,
Kangayam,
Tiruppur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent herein to transfer the investigation of the case in Crime No.78/2018 on the file of the second respondent to some other Independent Investigating Officer in the rank of D.S.P., or any other independent Investigation Agency for re-investigation as per Section 173(8) of Cr.P.C., after obtaining prior permission from the learned Principal District and Sessions Court, Tiruppur and file additional final report in Special S.C.No.3 of 2018 on the file of the Principal District and Sessions Court, Tiruppur within the stipulated time as fixed by this Court based upon the petitioner's representation dated 06.07.2019.

For Petitioner : Mr.S.Kumara Devan
For R1 to R3 : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

It is stated that the investigation has been completed way back and a charge sheet has also been laid which has been taken on file in S.C.No.3 of 2018. The trial has now commenced and at this stage it would not be appropriate for considering the petitioner request for transfer of investigation. If the petitioner is aggrieved, it is always open to him to invoke Section 319 of Cr.P.C., by way of an appropriate petition.

2.With the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (Cj conf)

/true copy/

Sub Asst. Registrar

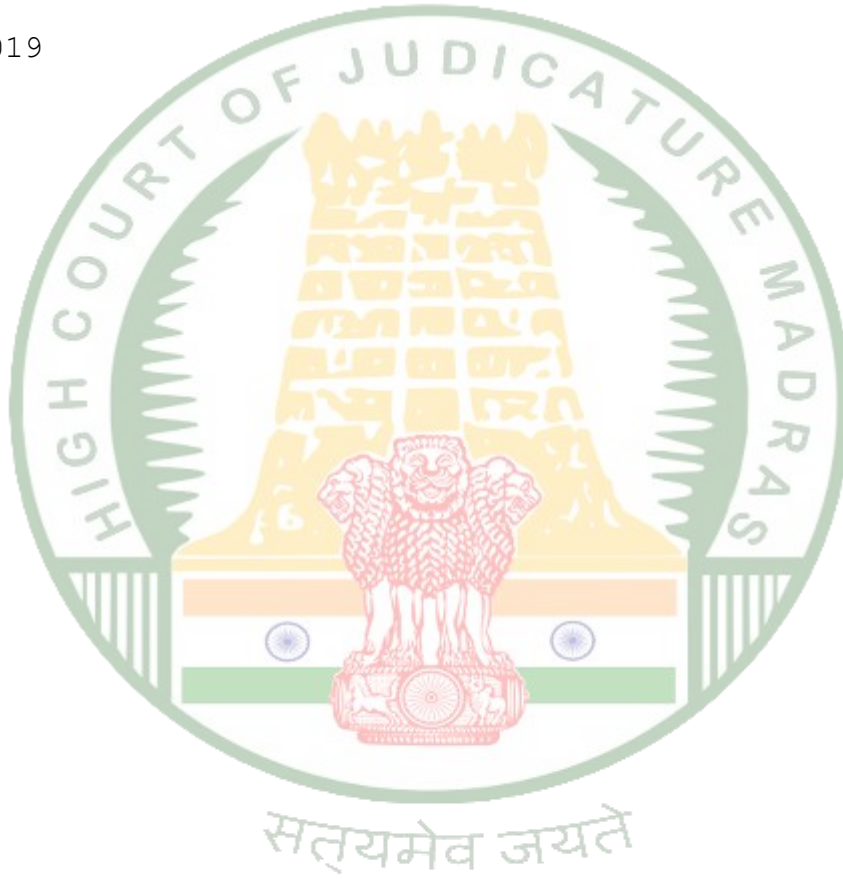
pnn
To

- 1.The Superintendent of Police,
O/o.Superintendent of Police,
Tiruppur District.
- 2.The Deputy Superintendent of Police,
O/o.Superintendent of Police,
Tiruppur District.
- 3.The Inspector of Police,
Kangayam Police Station,
Kangayam,
Tiruppur District.

+lcc to Mr.S.Kumaradevan advocate sr85004

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aa04/11/2019



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