

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.7236 of 2017

B.Sivaraman

...Petitioner

Vs.

The Inspector of Police,
Central Crime Branch-II,
Team-I, Vepery,
Chennai-600 007.
Crime No.44 of 2012.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to transfer the investigation to some other agency, preferably to the Assistant Commissioner of Police, Selaiyur, Chennai from the respondent police in Crime No.44 of 2012.

For Petitioner : Mr.A.N.Rajan

For Respondent :Mr.C.Raghavan
Government Advocate

O R D E R

This petition has been filed seeking for transfer of investigation in Crime No.44 of 2012, pending on the file of the respondent police.

2. The learned Government Advocate, on instructions submitted that the investigation has been completed and a closure report has been filed before the Judicial Magistrate, Alandur in R.C.S No.72 of 2015 on 30.06.2015.

3. The learned counsel for the petitioner submitted that the petitioner, as the de-facto complainant is entitled to be served with the notice by the Court immediately after the filing of the closure report. This has not been done in the present case and therefore, the petitioner is not in a position to work out his remedy before the concerned Court by filing a protest petition.

4. The learned Government Advocate submitted that a copy of the closure report is being served on the counsel for the petitioner and leave can be granted to the petitioner to prosecute his right in accordance with law.

5. Taking into consideration the facts and circumstances of the case and the above developments, this Criminal Original Petition is disposed of by giving liberty to the petitioner to approach the Judicial Magistrate, Alandur by filing a protest petition before the concerned Court and work out his remedy in accordance with law.

Sd/-
Assistant Registrar(CS V)

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Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Alandur.
2. The Assistant Commissioner of Police,
Selaiyur, Chennai.
3. The Inspector of Police,
Central Crime Branch-II,
Team-I, Vepery,
Chennai-600 007.
4. The Public Prosecutor,
High Court, Madras.

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CrI.O.P.No.7236 of 2017

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