

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5261 of 2017

J.Venkatraman

... Petitioner

Vs.

1. The Director General of Police,
Dr.Radhkarishnan Salai,
Mylapore, Chennai - 600 004.
2. The Superintendent of Police,
District Police Office, Villupuram District.
3. The Additional Superintendent of Police (ADMIN),
District Police Office, Villupuram District.
4. The Deputy Superintendent of Police,
Armed Reserve, Ka Kuppam,
Villupuram District.
5. The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.
6. The Sub-Inspector of Police,
Sankarapuram Police Station,
Villupuram District.
7. Parameshwara Padhamanaban,
Sub-Inspector of Police (Traffic),
Villupuram Town Police Station,
Villupuram District.
8. R.Sivagami (W.PC 301),
Women Police, Armed Reserve,
Villupuram District.

(R3 to R6 cause title amended as per dated
19/06/2017 in W.P.No.8922 of 2017
in W.P.No.5261 of 2017)

...

Respondents

PRAYER:

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to appoint an investigation officer not below the rank of Superintendent of Police to investigate the case in Crime No.486 of 2016 on the file of 6th respondent and further directing the 6th respondent to transfer the case to the officer appointed by the 1st respondent and also directing the 2nd respondent to initiate the appropriate departmental action against the 6 to 8 respondents for enabling the fair and impartial investigation in accordance with law.

For Petitioner : Mr.J.Agni Selvaraju

For Respondents

For R1-R6 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed to transfer the investigation in Crime No.486 of 2016 on the file of the sixth respondent police, registered for offences under Sections 294 (b), 427, 352 and 506(i) of IPC, to the officer appointed by the first respondent and also to take action against the respondents 6 to 8 for fair and impartial investigation.

2. The learned Additional Public Prosecutor would submit that FIR in Crime No.486 of 2016 pending on the file of the sixth respondent police has been enquired and the same was closed on 25.05.2017 as 'Mistake of Fact' and the referred charge sheet in R.C.No.38 of 2017 has also been filed before the learned Judicial Magistrate No.I, Sankarapuram.

3. In view of the submission made by the learned Additional Public Prosecutor, this Writ Petition stands disposed of with liberty to the petitioner to file private complaint in the manner known to law. No costs.

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Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Director General of Police,
Dr.Radhkarishnan Salai,
Mylapore,
Chennai - 600 004.
2. The Superintendent of Police,
District Police Office,
Villupuram District.
3. The Additional Superintendent of Police (ADMIN),
District Police Office,
Villupuram District.
4. The Deputy Superintendent of Police,
Armed Reserve, Ka Kuppam,
Villupuram District.
5. The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.
6. The Sub-Inspector of Police,
Sankarapuram Police Station,
Villupuram District.
7. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Agni Selvaraju, Advocate, S.R.No.22529

W.P.No.5261 of 2017

CS/26/06/2019

सत्यमेव जयते

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