

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.27005 of 2019

R.Soniya

.. Petitioner

Versus

State represented by
The Sub-Inspector of Police,
Banavaram Police Station,
Nemili Taluk,
Vellore District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. to transfer the investigation to some other agency in respect of Crime No.140 of 2016 on the file of respondent police.

For Petitioner : Mr.D.Rajagopal

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed to transfer the investigation to some other Agency in respect of Crime No.140 of 2016 on the file of respondent police.

2. The ground on which the petitioner seeks transfer of petition is that though the complainant has named one Vishnu to be one of the persons suspect to commit the offence, the respondent/police are decided to drop the name of the said Vishnu from the FIR based on the investigation.

3. The learned Additional Public Prosecutor submitted that the investigation is almost over and they are at the verge of filing the charge sheet.

4. In my view, the ground on which the petitioner seeks for transfer may be pre-mature, since it is only a mere apprehension

on the part of the petitioner, that the name of one Vishnu would be omitted in the charge sheet. Even otherwise, if the name of the said Vishnu is not brought in the charge sheet, it is always open to the trial Court to proceed against the said Vishnu or any person under Section 319 Cr.P.C, if the materials before the trial Court implicates them.

5. In view of the same, prayer seeking for transfer of investigation in Crime No.140 of 2016 on the file of respondent police, may not be warranted.

In the light of the above observation, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Sub-Inspector of Police,
Banavaram Police Station,
Nemili Taluk,
Vellore District.

2.The Public Prosecutor.,
High Court Madras.

+lcc to Mr.D.Rajagopal, Advocate sr.92081

CrI.O.P.No.27005 of 2019

sv(co)
nr 16/12/2019

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