

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cr1.O.P.No. 27411 of 2019

R.Vembu

...Petitioner

Vs.

1. The Superintendent of Police
Ariyalur District.

2. The Inspector of Police
Thirumanur Police Station
Ariyalur District.
Crime No.97 of 2019.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.97 of 2019 from the second respondent to some other independent Investigation Officer with the direction and supervision of the first respondent for conducting independent and impartial investigation in Crime No.97 of 2019 on the file of the Thirumanur Police Station.

For Petitioner :Mr. R.Prabakar

For Respondents:Mr.C.Iyyapparaj for R1 and R2
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

Apart from the complaint given by the petitioner registered in Cr.No.97 of 2019, the complaint against the petitioner herein has also been registered in Counter Case No.96 of 2019 before the second respondent. The petitioner herein seeks for transferring the investigation from the second respondent to some other Inspector of Police, by making certain allegations as against the Inspector of Police. It is also seen that the petitioner had already given a complaint to the first respondent herein on 23.09.2019 seeking for transfer of the complaint. Though this Court does not intend to give any sanctity to the allegations made against the Investigation Officer, since the investigation is yet to be completed, if the same Investigation

Officer against whom the allegations are made is allowed to continue, the investigation itself could be viewed as biased.

2. In the light of the above observations, there shall be a direction to the Superintendent of Police, Ariyalur District to transfer the investigation in Crime No.97 of 2019 as well as the Counter Case No.96 of 2019 on the file of the Thirumanur Police Station, Ariyalur District from the present Investigation Officer to another Investigation Officer. The first respondent herein, shall endeavour to have the investigation transferred at the earliest, within a period of one week from the date of receipt of a copy of this order.

3. Accordingly, this Criminal Original Petition stands allowed.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

vsn/dna

To

1.The Superintendent of Police
Ariyalur District.

2.The Inspector of Police
Thirumanur Police Station
Ariyalur District.
Crime No.97 of 2019.

3.The Public Prosecutor
High Court, Madras 104.

+1 CC to Mr.R. Prabakar, Advocate sr 103352.

+1 CC to Mr.R. Prabakar, Advocate sr 23391(12/12/2019)

Crl.O.P.No. 27411 of 2019

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SP(11/12/2019)