

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.32825 of 2019

Ramakrishnan

... Petitioner

Vs.

1.The commissioner of police,
Vepery, Chennai

2.The Inspector of police,
V3 J.J. Nagar police station,
Chennai, Crime No.466 of 2019

3. The Central Bureau of Investigation,
Rep. by its Superintendent of police,
Special CBI ACB, 3rd floor, Sastri Bhavan,
Haddows Road, Nungambakkam,
Chennai - 600 006.

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to issue direction to the 1st respondent herein to transfer the investigation in Crime No.466 of 2019 pending on the file of the 2nd respondent to C.B.I to conduct the investigation.

For Petitioner : Mr. S. Senthilvel

For Respondents : Mr.C.Iyyapparaj
1 &2 Additional Public Prosecutor

For Respondent-3: Mr.K. Srinivasan
Special Public prosecutor

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O R D E R

This petition has been filed seeking seeking to issue direction to the 1st respondent herein to transfer the investigation in Crime No.466 of 2019 pending on the file of the 2nd respondent to C.B.I to conduct the investigation.

2. The case of the petitioner is that he is the defacto complainant in this case and his son by name Alagu Murugan was murdered on 21.02.2019 at about 11.20.a.m by two persons namely Pragadesh, Manikandan, Danial and 2 other knowns persons and the occurrence of murder has been recorded in the C.C.T.V. footage. After the occurrence took place the petitioner rushed to police booth and informed the respondent/police but they came after one hour to the spot. However, the respondent/police registered the F.I.R without proper enquiry and they have not registered the F.I.R in the specific name given by the petitioner and obtained his signature in the complaint by threatening the petitioner. Hence, the petitioner has filed this present Criminal Original petition to transfer the investigation in Crime No.466 of 2019 pending on the file of the 2nd respondent to C.B.I to conduct the investigation.

3.The learned counsel for the petitioner submitted that this Court may issue direction to transfer the case to the concerned Deputy Commissioner of police to conduct the enquiry with regard to the above said prayer.

4.The learned Additional Public Prosecutor submitted the Investigating officer conducted the enquiry in the proper manner known to law. Even though, the petitioner has filed this petition to transfer the case.

5. In view of the apprehension expressed by the petitioner and the petitioner is the defacto complainant in this case, to ventilate his grievance, this Court is inclined to grant permission to file petition before Deputy Commissioner of Police and the Deputy commissioner of police is directed to consider the grievance of the petitioner, if the petitioner grievance shows any prima facie and pass appropriate orders in accordance with law as expeditiously as possible and the petitioner is also directed to co-operate with the enquiry.

6. With the above observations this criminal original petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

smn

To

1.The commissioner of police,
Vepery, Chennai

2.The Inspector of police,
V3 J.J. Nagar police station,
Chennai, Crime No.466 of 2019

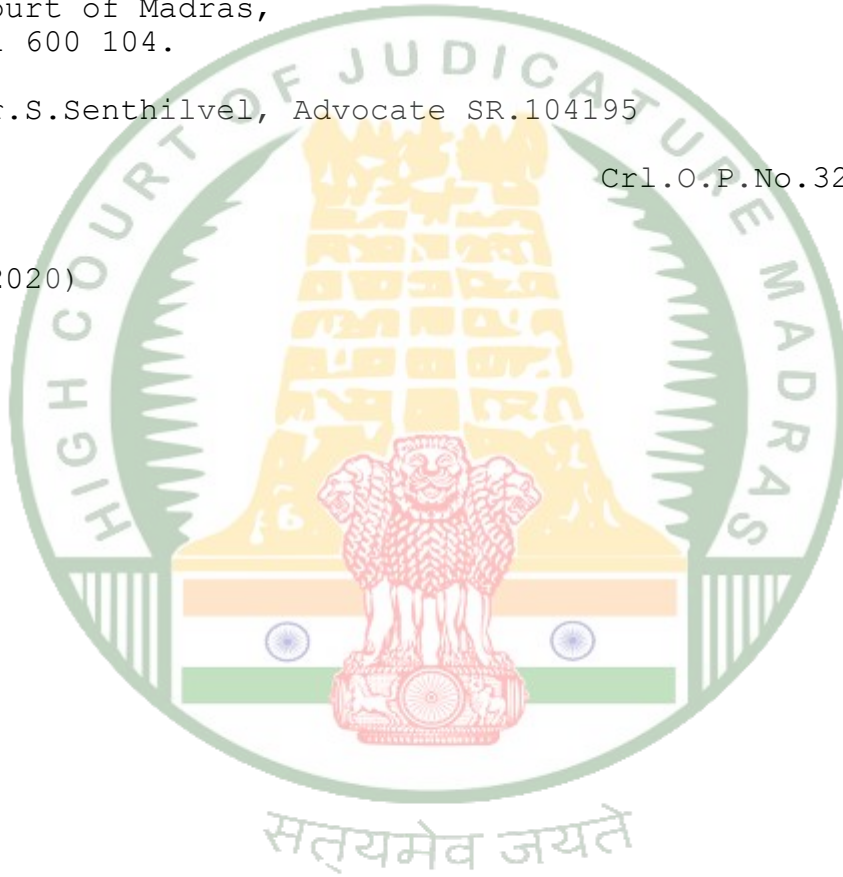
3.The Central Bureau of Investigation,
Rep. by its Superintendent of police,
Special CBI ACB, 3rd floor, Sastri Bhavan,
Haddows Road, Nungambakkam,
Chennai - 600 006.

4.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.S.Senthilvel, Advocate SR.104195

Crl.O.P.No.32825 of 2019

PA(CO)
CB(31/01/2020)



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