



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 03.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.(MD).No.6634 of 2019

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M.Sandeep

... Petitioner/A4

-Vs-

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai.
2. The Commissioner of Police,
Madurai City,
Madurai.
3. The Inspector of Police (L & O),
S.S.Colony Police Station,
S.S.Colony,
Madurai.
4. The Inspector of Police,
Subramaniyapuram Police Station (Crime),
Madurai in Crime No.1048 of 2018.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to transfer of investigation in Crime No.1048 of 2018 on the file of the Inspector of Police, Subramaniyapuram Police Station (Crime), Madurai District to some other agency.

For Petitioner : Mr.T.Balarathinakumar
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

The Criminal Original Petition is filed seeking direction to the first respondent to transfer the investigation in Crime No.1048 of 2018 on the file of the Inspector of Police, Subramaniyapuram Police Station, Madurai to some other agency.

2. The grievance of the petitioner is that he is a gold merchant and selling bullion from the year 1990, and also having a jewellery shop in South Aavani Moola Street, Madurai. Now, he has been falsely implicated in Crime No.1048 of 2018 at the instigation of the third respondent. In the above circumstances, the petitioner wants to transfer the investigation to any other agency.



3. Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.side) would submit that the investigation is over and the final report is also filed before the learned Judicial Magistrate No.IV, Madurai and the learned Judicial Magistrate has also taken cognizance of the offence in C.C.No.624 of 2019.

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4. First of all, the petitioner is only an accused and he has no right to ask for transfer to the particular agency to conduct investigation. That apart, now the entire investigation is over and the matter is also taken on file by the competent criminal Court. In the above circumstances, the prayer sought for by the petitioner cannot be granted. Hence, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai.
2. The Commissioner of Police,
Madurai City,
Madurai.
3. The Inspector of Police (L & O),
S.S.Colony Police Station,
S.S.Colony,
Madurai.
4. The Inspector of Police,
Subramaniyapuram Police Station (Crime),
Madurai in Crime No.1048 of 2018.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.T.BALA RATHINA KUMAR, Advocate SR-66782.

Crl.O.P. (MD)No.6634 of 2019
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