

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATE: 17.06.2019

CORAM

**THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN****Cr1.O.P. (MD) .No.8301 of 2019**

Thomas Shanty

... Petitioner

-Vs-

1.State represented by  
the Inspector of Police,  
Cantonment Police Station,  
Trichy City.  
(Crime No.2049 of 2018)

2.The Inspector of Police,  
CBCID,  
Tiruchirapalli.

... Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation agency in respect of the case in Crime No.2049 of 2018 on the file of first respondent to second respondent herein.

|                |   |                              |
|----------------|---|------------------------------|
| For Petitioner | : | Mr.S.Ramasamy                |
| For R1 & R2    | : | Mr.K.K.Ramakrishnan          |
|                |   | Additional Public Prosecutor |

**O R D E R**

This criminal original petition has been filed seeking to transfer the investigation in Crime No.2049 of 2018 on the file of the first respondent to the second respondent.

2. The grievance of the petitioner is that based on the complaint given by the petitioner, a case has been registered by the first respondent police in Crime No.2049 of 2018 for the offences under Sections 341, 395, 420, 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002. Even though the crime was registered as early as on 03.12.2018, so far no investigation has been conducted and hence, he filed the present criminal original petition.

3. Today, the first respondent filed a status report stating that after investigating the crime, the petitioner was called for enquiry and several occasion, he did not appear before the first respondent. In the above circumstances, the first respondent is not in a position to proceed with the investigation.

4. Considering the fact that the investigation is pending, the petitioner is directed to appear before the first respondent for investigation and thereafter, the first respondent is directed to



proceed with the investigation as expeditiously as possible.

5. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,  
Cantonment Police Station,  
Trichy City.
2. The Inspector of Police,  
CBCID,  
Tiruchirapalli.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1CC TO MR.S.RAMASAMY, Advocate Sr. No.69621

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**17.06.2019**

NRK(CO)

TR (04.07.2019) 2P 5C