



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATE: 09.07.2019
CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

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Cr1.O.P.(MD).No.9678 of 2019
and
Cr1.M.P.(MD)No.6178 of 2019

R.S.R.Venkatachalam

... Petitioner

-Vs-

1.The Additional Director General of Police,
CBCID, Chennai.

2.The Inspector of Police,
CCIW,
Virudhunagar,
Virudhunagar District.

3.R.Sengai
President,
Q.891.T.V.Veppankulam Primary Agriculture
Co-operative Society,
T.Veppankulam,
V.Nangoor Post
Kariyapatti Taluk,
Virudhunagar District.

4.M.Thavamani,
Secretary,
Q.891.T.V.Veppankulam Primary Agriculture
Co-operative Society,
T.Veppankulam,
V.Nangoor Post
Kariyapatti Taluk,
Virudhunagar District.

5.R.Ravichandran

6.A.Rajinikanth

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with Crime No.1 of 2016, dated 07.09.2016, pending on the file of the second respondent and transfer the same to the file of the some other independent investigating agency viz., the first respondent herein in order to ensure free investigation in the interests of justice.



For Petitioner : Mr.G.Thiagarajan
For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

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ORDER

This petition has been filed seeking to transfer the investigation in Crime No.1 of 2016 pending on the file of the second respondent to some other independent investigating agency.

2. The petitioner was a Secretary of the S.S.P.L.151 Pattamangalam Primary Agricultural Co-operative Credit Society, and he is an accused in Crime No.2 of 2016 on the file of the second respondent police for the offences under Sections 408, 471, 477(A) r/w. 34 of I.P.C., and another crime has been registered against the respondents 5 and 6 in Crime No.1 of 2016 on the file of the second respondent police. Now, the petitioner has filed the present criminal original petition seeking to transfer the investigation in Crime No.1 of 2016 on the file of the second respondent to some other investigation agency.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

4. First of all the petitioner is neither a complainant nor an accused in Crime No.1 of 2016 and he has no right to ask for transfer of investigation. That apart, already the petitioner is an accused in another Crime No.2 of 2016 and the investigation is also pending against the accused. Hence, the petitioner cannot maintain this petition and absolutely there is no reason to transfer the investigation. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Additional Director General of Police,CBCID, Chennai.

2.The Inspector of Police,CCIW,Virudhunagar,Virudhunagar District.

3.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.G.THAGARAJAN,Advocate, SR.No.74857

Crl.O.P.(MD).No.9678 of 2019

09.07.2019