



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.898 of 2018

Thameemul Ansari@ k.Ansari

... Petitioner

-Vs-

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Deputy Commissioner of Police,
Crime & Traffic,
Gandhi Market,
Trichy.

3.The Inspector of Police,
K.K. Nagar Police Station (Crime),
Trichy. Crime No. 966/2017

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.27/2018 from the 3rd respondent to any other competent officer to be monitored by the 2nd respondent.

For Petitioner : Mr.A.Amalantony

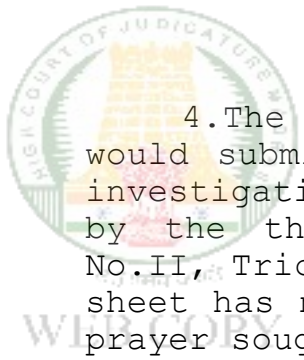
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

O R D E R

This petition has been filed to to transfer the investigation in Crime No.27 of 2018 from the 3rd respondent to any other competent officer to be monitored by the 2nd respondent.

2.Heard both sides.

3.The grievance of the petitioner is that, even though the complaint given by the petitioner has been registered in Crime No.27 of 2018 for the offences under Sections 406, 420, 294(b) and 506(i) of I.P.C., it has not been properly investigated. Hence, the present criminal original petition has been filed.



4.The learned Government Advocate (Crl.side) on instructions would submit that based on the complaint given by the petitioner, investigation has been conducted and a final report has been filed by the third respondent before the learned Judicial Magistrate No.II, Trichy on 30.05.2018 itself. But, till today the said charge sheet has not taken cognizance by the Magistrate and therefore, the prayer sought for by the petitioner become infructuous.

5.In the above circumstances, the relief sought for by the petitioner cannot be granted. However, the learned Judicial Magistrate No.II, Trichy, is directed to take cognizance of the offence on the final report filed by the third respondent in Crime No.27 of 2018, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Trichy City, Trichy.
- 2.The Deputy Commissioner of Police,
Crime & Traffic, Gandhi Market,Trichy.
- 3.The Inspector of Police,
K.K. Nagar Police Station (Crime),Trichy.
4. The Judicial Magistrate No.II, Trichy.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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