



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.9124 of 2018

WEB COPY

Silambathal

... Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Sub Inspector of Police,
Sankarankovil Taluk Police Station,
Sankarankovil, Tirunelveli District
In crime No.69 of 2018.

3.The Inspector of Police,
CBCID Tirunelveli Unit,
Tirunelveli.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to withdraw the case in crime No.69 of 2018 on the file of the 2nd respondent and transfer the investigation to the 3rd respondent or any other agency.

For Petitioner : Mr.J.C.Rathinavel Pandian
For Respondents : Mr.K.Suyambulinga bharathi,
G.A. (Crl. Side)

O R D E R

This petition has been filed to withdraw the case in crime No.69 of 2018 on the file of the 2nd respondent and transfer the investigation to the 3rd respondent or any other agency.

2.According to the petitioner, her grievance is to include some of the accused and some other offences in crime No.69 of 2018 on the file of the 2nd respondent.

3.The learned Government Advocate (criminal side) submitted that after due investigation, the 2nd respondent has filed charge sheet in crime No.69 of 2018 before the learned Judicial Magistrate concerned and the same has been pending for taking cognizance and hence, the question of change of investigation does not arise.

4.Recording the said submission, this criminal original petition is dismissed. However, the petitioner is at liberty to invoke the provision under Section 319 of Cr.P.C., before the trial Court to add the accused persons and include other offences, if



there is any incriminating evidence as against them during the trial.

Sd/-

Assistant Registrar (CS-III)

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// True Copy //

Sub Assistant Registrar (CS)

Arul

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Sub Inspector of Police,
Sankarankovil Taluk Police Station,
Sankarankovil, Tirunelveli District.
- 3.The Inspector of Police,
CBCID Tirunelveli Unit,
Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.J.C.RATHNAVEL PANDIAN, Advocate (SR-95705[F] dated 04/11/2019)

Order made in
CRL.O.P (MD) No.9124 of 2018
01.11.2019

VB(14.11.2019) 2P 6C