



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.10.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.6622 of 2018

Sethurathinam

... Petitioner

Vs

1.The Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Vathalai Police Station,
Trichy District,
Crime No.265/2017

3.The Inspector of Police,
CBCID,
Trichy District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to transfer the investigation from the 2nd respondent in Crime No.265/2017 to CBCID, the 3rd respondent herein or to any other independent competent agency.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.K.Suyanbulinga Bharathi,
G.A. (Crl. side)

O R D E R

This petition has been filed to transfer the investigation from the 2nd respondent in Crime No.265/2017 to CBCID, the 3rd respondent herein or to any other independent competent agency.

2.The learned Government Advocate (criminal side) would submit that on the basis of the complaint given by the petitioner, a case in crime No.265 of 2017 has been registered for the offences under Section 379, 441 and 435 of I.P.C. as against one Rajalingam and pending investigation, the sole accused died on 30.07.2018 and hence, the charges as against the accused are abated and no question of transfer of investigation would arise in crime No.265 of 2017.

3.Considering the said submission, this criminal original petition is dismissed as devoid of merits. However, the learned counsel appearing for the petitioner would submit that on the



instigation of the Sub Inspector of Police, Vathalai Police Station, the investigating officer deleted the name of the accused persons, who involved in the crime. Therefore, it is open to the petitioner to take separate action as against the erring officials.

WEB COPY

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Trichy District.
- 2.The Inspector of Police,
Vathalai Police Station,
Trichy District.
- 3.The Inspector of Police,
CBCID,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.S.SIVAKUMAR, Advocate Sr. No. 94622

Order made in
CRL.O.P (MD) No.6622 of 2018
24.10.2019

SCR(CO)
TR(14.11.2019)2P 6C