



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.13487 of 2019

an

Crl.M.P. (MD) No.8256 of 2019

S.Amose

... Petitioner

- Vs. -

1.The Director General of Police,
Chennai.

2.Central Bureau of Investigation,
rep. by its Joint Director,
South Region, Adayar,
Chennai.

3.The Superintendent of Police,
Kanyakumari District,
at Nagercoil.

4.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. directing the respondents to withdraw and transfer the investigation in crime No.277 of 2019 on the file of Marthandam Police Station to CBI or any other independent investigation agency by considering the representation of the petitioner dated 30.08.2019 within a time frame that may be fixed by this Court.

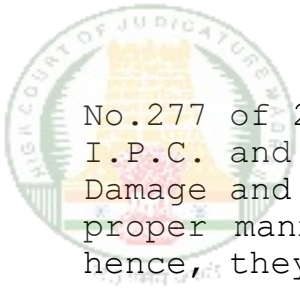
For Petitioner : Mr.S.C.Herold Singh

For R1,3 & 4 : Mr.K.Suyambulinga Bharathi, G.A
(Crl. Side)

ORDER

The Criminal Original Petition has been filed to direct the respondents to withdraw and transfer the investigation in crime No.277 of 2019 on the file of Marthandam Police Station to CBI or any other independent investigation agency by considering the representation of the petitioner dated 30.08.2019 within a time frame that may be fixed by this Court.

2.The learned counsel appearing for the petitioner would submit that though the fourth respondent has registered a case in crime



No.277 of 2019 for the offences under Sections 342, 380, 435, 451 of I.P.C. and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, they have not investigated the case in a proper manner and so far, no accused person has been arrested and hence, they approached this Court by filing this petition.

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3.The learned Government Advocate (criminal side) would submit that on investigation, they fixed 7 accused persons, in which, A1 was arrested and remanded to judicial custody and also recovered so many CCTV footages and other documentary evidence and they are about to arrest the other accused persons and they conducting the investigation in a proper manner and in these circumstances, the change of investigation would affect the entire case and hence, he prayed for dismissal of the petition.

4.Considering the above facts and circumstances of the case, the fourth respondent is directed to complete the investigation within a period of 8 weeks from the date of receipt of a copy of this order. The petitioner is also directed to co-operate with the investigation. Further, the third respondent is directed to monitor the investigation done by the fourth respondent and he shall also ensure that the fourth respondent is completed the investigation and filed the charge sheet within the time stipulated by this Court.

5.With this above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Director General of Police,
Chennai.
2. The Joint Director,
Central Bureau of Investigation,
South Region, Adayar,
Chennai.
- 3.The Superintendent of Police,
Kanyakumari District,
at Nagercoil.



4.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

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

+1 CC to Mr.S.C.HEROLD SINGH, Advocate (SR-92736[F] dated
18/10/2019)

Crl.O.P. (MD) .No.13487 of 2019
17.10.2019

ARUL

MK (11.11.2019) 3P 7C