



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.15367 of 2019

O.Homer Lal

... Petitioner

Vs

1.The Government of Tamil Nadu,
rep. by its Secretary to Home Department,
Fort St. George, Chennai - 600 009.

2.The Superintendent of Police,
Nagercoil,Kanyakumari District.

3.The Deputy Superintendent of Police,
Colachel,Kanyakumari District.

... Respondents

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to direct the respondents to transfer the investigation from the 3rd respondent in pursuant to the summon dated 17.10.2019 to any other independent agency.

For Petitioner : Mr.S.C.Herold Singh
For Respondent : Mr.K.Suyambulinga Bharathi,
G.A.(Crl.Side)

O R D E R

This petition has been filed by the petitioner to direct the respondents to transfer the investigation from the 3rd respondent in pursuant to the summon dated 17.10.2019 to any other independent agency.

2.The learned Government Advocate (criminal side) appearing for the respondent police submits that on the complaint lodged by the defacto complainant, the 3rd respondent issued a summon dated 17.10.2019 to appear for the enquiry. However, the petitioner did not appear for the enquiry.

3.Considering the said submission, this Court is of the view that even before the registering of the complaint, transfer of investigation does not arise and the complaint cannot be transferred to any other investigating agency.

4.Accordingly, this criminal original petition is disposed of with a direction to the respondent that the petitioner shall not be harassed during the enquiry.

Sd/-

Assistant Registrar (writs)

// True Copy //



To

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

2.The Superintendent of Police,
District Crime Branch,
Madurai District, Madurai.

3.The Inspector of Police,
Sholavandan Police Station,
Madurai District.

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

+1 CC to M/s.S.C. HEROLD SINGH, Advocate (SR-97509[F] dated 12/11/2019
Order made in
CRL.O.P (MD) No.16302 of 2019
11.11.2019

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