



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2019

CORAM:

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

Crl.O.P.(MD) No.14792 of 2018

Padmaursula

...Petitioner

Vs.

1. The Superintendent of Police
Kanyakumari District

2. The Inspector of Police
Vadasery Police Station
Kanyakumari District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to transfer the investigation of Crime No. 212 of 2018 from the file of the second respondent to some other unbiased police or competent agency to conduct fair and impartial investigation.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction direct the first respondent to transfer the investigation of Crime No. 212 of 2018 from the file of the second respondent to some other unbiased police or competent agency to conduct fair and impartial investigation

2. The Government Advocate (Crl.Side) would submit that the respondent police have completed investigation in Crime No. 212 of 2018 and also filed final report before the concerned court and the same has been taken cognizance in STC No. 01 of 2019 and at this stage the case cannot be transferred from second respondent to any other agency.

3. Hence this Criminal Original Petition is dismissed. The only grievance of the petitioner is that provision under Section 323 of IPC has not been added in the final report. However the



petitioner is always at liberty to invoke provisions under Section 319 of Cr.P.C during trial if any incriminating materials found against the accused persons.

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Sd/-

Assistant Registrar (AD-II)

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Kanyakumari District
2. The Inspector of Police
Vadasery Police Station
Kanyakumari District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-100758[F] dated 22/11/2019)

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JMN(09.12.2019) 2P : 5C