



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.9525 of 2017

WEB COPY

M.Pillappan @ Shajahan

... Petitioner

Vs.

1) State represented by its
Represented by its Home Secretary,
St. Fort George,
Chennai-09.

2) The Superintendent of Police,
Thanjavur District, Thanjavur.

3) The Director,
Central Bureau of Investigation,
Shasthiri Bhavan,
Nungambakkam,
Chennai.

4) The State represented by
The Inspector of Police,
Thiruvidaimaruthur Police Station,
Thanjavur District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the second respondent to transfer the investigation from the fourth respondent to the third respondent or any other competent authority to investigate the case on the basis of the petitioner's complaint dated 05.02.2015.

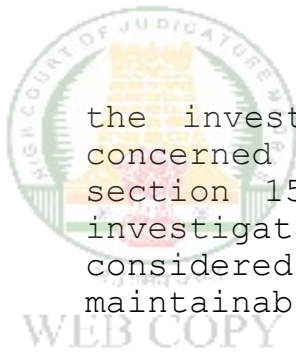
For Petitioner : Mr.S.Kanif

For Respondents : Mr.S.Chandrasekar,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for the transfer of investigation from the fourth respondent police to the third respondent.

2. It is seen from the records that only a complaint has been given by the petitioner to the Home Minister, New Delhi and a copy of the same has been marked to all the respondents. This representation/ complaint cannot be a ground to seek for transfer of



the investigation. A complaint has to be given only before the concerned Station House Officer and the same has to be dealt under section 154 of Cr.P.C. By sending a representation, transfer of investigation can never be sought for and therefore, in the considered view of this Court, this petition itself is not maintainable.

3. In the result, this Criminal Original Petition is dismissed and liberty is given to the petitioner to work out his remedy, by giving a complaint before the concerned Police Station and proceed further in accordance with law.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS)

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To

1) The Home Secretary,
St. Fort George,
Chennai-09.

2) The Superintendent of Police,
Thanjavur District, Thanjavur.

3) The Director,
Central Bureau of Investigation,
Shasthiri Bhavan,
Nungambakkam,
Chennai.

4) The Inspector of Police,
Thiruvudaimaruthur Police Station,
Thanjavur District.

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

+1 CC to M/s.S.KANAGARAJAN, Advocate (SR-90365[F] dated 30/09/2019)

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Dated:

27.09.2019

KK/SAR/22.10.2019/2P-7C/