



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM

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

CRL.O.P (MD) No.17444 of 2019

and

CrI.M.P.(MD) No.10279 of 2019

WEB COPY

Robert Sisil

... Petitioner

Vs

1.The Superintendent of Police

Kanyakumari District

Kanyakumari

2. The Assistant Superintendent of Police

Colachel Division

Colachel, Kanyakumari District

3. The Deputy Superintendent of Police

CBCID, Nagercoil

4. The Inspector of Police

Pudukadai Police Station

Pudukada

Kanyakumari District

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 1st respondent to transfer the investigation from 4th respondent to 3rd respondent in crime No. 96 of 2019 registered by the 4th respondent on 21.04.2019, based on the petitioners representation dated 27.06.2019

For Petitioner : Mr.H.Velavadhas

For Respondents : Mr.K.Suyambulinga bharathi,
G.A. (CrI. Side) for R1

O R D E R

This petition has been filed to direct the 1st respondent to transfer the investigation from 4th respondent to 3rd respondent in crime No. 96 of 2019 registered by the 4th respondent on 21.04.2019, based on the petitioners representation dated 27.06.2019

2.The learned Government Advocate (criminal side) would submit that there is a case and counter case in Crime No.97 of 2019 the respondent police has completed investigation in both the crime numbers and filed final report before the learned Judicial Magistrate No.II,Kulithalai and the same is yet to be taken cognizance.



3. At this stage transfer of investigation cannot be granted. Hence the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. However, the fourth respondent is directed to complete the investigation in both the crime numbers 96 of 2019 and 97 of 2019 following the police standing order for case and counter case and file a final report within a period of two weeks from the date of receipt of copy of this Order, before the jurisdiction Magistrate.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

aav

To

- 1.The Superintendent of Police
Kanyakumari District
Kanyakumari
2. The Assistant Superintendent of Police
Colachel Division
Colachel, Kanyakumari District
3. The Deputy Superintendent of Police
CBCID, Nagercoil
4. The Inspector of Police
Pudukadai Police Station
Pudukada
Kanyakumari District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.H. VELAVADHAS, Advocate (SR-101923[F] dated 27/11/2019
CRL.O.P (MD) No.17444 of 2019
and
Cr1.M.P.(MD) No.10279 of 2019
27.11.2019

SMA/17/12/19/2P/7C