



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.11.2019
CORAM
THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
CRL.O.P. (MD) .No.17336 of 2019

WEB COPY

T.Glifton Jingle Jones

...Petitioner

Vs.

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

2.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the petitioner's complaint dated 29.11.2017 on the file of the second respondent to any other competent officer, other than the second respondent.

For Petitioner : Mr.M.Ashok Padmaraj

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

ORDER

This Criminal Original Petition has been filed to direct the first respondent to transfer the petitioner's complaint dated 29.11.2017 on the file of the second respondent to any other competent officer, other than the second respondent.

2.The learned counsel for the petitioner submitted that the petitioner lodged a complaint before the second respondent. On receipt of the same, the second respondent did not complete the enquiry and as such, the petitioner filed a petition in Crl.O.P.(MD) No.1081 of 2018. This Court by order dated 24.01.2018, in Crl.O.P. (MD)No.1081 of 2018, directed the second respondent to complete the enquiry. Even then, the second respondent did not complete the enquiry, therefore, the petitioner sought for transfer of enquiry on the complaint lodged by him.

3.Under such circumstances, the transfer of investigation cannot be considered. Only after registration of FIR, the investigation can be transferred from one investigation agency to other investigation agency. Instead of taking steps to register the complaint, the petitioner has come forward with this petition to transfer the investigation.



4.However, the second respondent is directed to complete the enquiry on the complaint lodged by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed of accordingly.

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Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

das
To

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

2.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

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

+1 CC to M/s.M. ASHOK PADMARAJ, Advocate (SR-101421[F] dated
26/11/2019)

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SMA/18/12/19/2P/5C