

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Criminal Original Petition No.32035 of 2013

J.Ganesh,
S/o.Jagannathan.

... Petitioner

-vs-

1.The Commissioner of Police,
Chennai City,
Egmore,
Chennai-600 008.
Now at Vepery, Chennai-7.

2.The Inspector of Police (Crime),
G.5, Secretariat Colony Police Station,
Chennai.
(Crime No.884 of 2013)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to pass an order directing the respondents transfer of the above case in Crime No.884 of 2013 from the file of the 2nd respondent Police, viz., the Inspector of Police, G.5, Secretariat Colony Police Station, Chennai, to the file of CB CID, Chennai or to the file of any other competent Investigating Agency.

For Petitioner : Mr.A.Selvendran
For Respondents : Mr.R.Ravichandran
Government Advocate (Crl.side)

O R D E R

This petition has been filed to transfer the investigation in Crime No.884 of 2013, on the file of the 2nd respondent Police to CBCID, Chennai.

2.None appeared on behalf of the petitioner.

3.The learned Government Advocate (Crl.side) would submit that investigation in Crime No.884 of 2013 has been completed

and closed as "further action dropped" and also served RCS. Therefore, the prayer sought for in this petition has become infructuous.

4. In view of the above submission, nothing further survives in this petition. Accordingly, this Criminal Original Petition stands dismissed as infructuous.

5. However, on perusal of records, it is seen that though the petitioner has filed this petition to transfer the investigation from the 2nd respondent Police to CBCID, Chennai, the same is pending from the year 2013. There is also no stay in this Criminal Original Petition. Now, in the year 2019, a final report has been filed stating that "further action dropped". There is no reason, why this F.I.R., is pending for the past six years. Therefore, the Commissioner of Police, Greater Chennai, is directed to take action on the Station House Officers, those who were responsible for keeping this F.I.R., pending for more than six years and file a compliance report.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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1. The Commissioner of Police,
Chennai City,
Egmore,
Chennai-600 008.
Now at Vepery, Chennai-7.

2. The Inspector of Police (Crime),
G.5, Secretariat Colony Police Station,
Chennai.
(Crime No.884 of 2013)

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P. No.32035 of 2013

rk(co)
nr 21/02/2020