

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5660 of 2020

Ayvaraj

...Petitioner

Vs.

1.The Commissioner of Police,
Chennai City Commissioner Office,
Chennai.

2.The Inspector of Police,
Secretariat Colony Police Station,
Kilpauk, Chennai.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to transfer the investigation from second respondent police to CB-CID, Chennai Division, to conduct fair and proper investigation and file final report in Crime No. 390 of 2019 on the file of the respondent police.

For Petitioner: M/s.Krishnasamy Chinnasamy

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondents to transfer the investigation from second respondent police to CB-CID, Chennai Division, to conduct fair and proper investigation and to file final report in Crime No. 390 of 2019 on the file of the respondent police.

2 Heard the learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3 The learned counsel for the petitioner would submit that the petitioner is the husband and only on the instigation of his wife, the three rowdy elements have come and committed crime as against the petitioner. Even then, the second respondent did not add his wife as an accused. Therefore, he sought for transfer of investigation.

4 The learned Additional Public Prosecutor would submit that now almost the investigation has been completed and at this stage, the transfer of investigation would effect the entire investigation.

5 Considering the above facts and circumstance, the second respondent is directed to investigate the matter and to file a final report within a period of three months from the date of receipt of a copy of this order. While investigating the crime, if any allegation is made out as against the wife of the petitioner and if any incriminating evidence as against the wife of the petitioner, the second respondent is directed to alter the offence and add the wife of the petitioner as an accused in accordance with law.

6 With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner of Police,
Chennai City Commissioner Office,
Chennai.
- 2.The Inspector of Police,
Secretariat Colony Police Station,
Kilpauk, Chennai.
- 3.The Inspector of Police,
CBCID, Chennai.

4.The Public Prosecutor,
High Court, Madras.

+2cc to M/s.Krishnasamy & Chinnasamy, Advocate Sr.22112

Cr1.O.P.No.5660 of 2020

ks[co]
srg 04/08/2020



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