



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 01.06.2020
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.7010 of 2020

E.Jagadeesh Babu

... Petitioner

Vs.

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai - 600 004

2.The Superintendent of Police,
Crime Branch, CID,
Egmore, Chennai - 600 008

3.Sekar

4. The Inspector of Police,
Pothatturpet Police Station,
Thirutani Sub Division,
Thiruvallur District
(Cr.No.350 of 2018)

5.Ravichandran

6.The Inspector of Police,
Central Bureau of Investigation,
Chennai

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to consider the representation of the petitioner dated 26.11.2019 for fair and impartial investigation and further issue direction to transfer the investigation of Crime No.350 of 2018 on the file of the fourth respondent to the sixth respondent.

For Petitioner : Mr.V.Balaji
For Respondents
R1 & R2 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.



O R D E R

This Criminal Original Petition has been filed for transfer of investigation in Cr.No.350 of 2018 from the file of the fourth respondent to the file of the sixth respondent.

2. The Additional Public Prosecutor submitted that the petitioner is arrayed as A3 in this case. Now the petitioner / accused is seeking for transfer of investigation in Cr.No.350 of 2018 pending on the file of the fourth respondent. However, an accused has no say to enter the investigation in view of the judgment of the Hon'ble Supreme Court of India in the case of Romila Thapar and Others v. Union of India and Others reported in (2018) 10 SCC 753. Therefore, the direction sought for by the petitioner cannot be considered.

3. It is seen that the fourth respondent is investigating the case in Cr.No.350 of 2018, wherein the petitioner is also arrayed as A3. At this juncture, transfer of investigation would not serve any purpose. Therefore, this Court is not inclined to grant the direction sought for by the petitioner as such this Criminal Original Petition is dismissed. However, the fourth respondent is directed to complete the investigation in Cr.No.350 of 2018 and file final report within a period of four months from the date of receipt of copy of this Order.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai - 600 004
2. The Superintendent of Police,
Crime Branch, CID,
Egmore, Chennai - 600 008
3. The Inspector of Police,
Pothatturpet Police Station,
Thirutani Sub Division,
Thiruvallur District (Cr.No.350/2018)



4. The Inspector of Police,
Central Bureau of Investigation,
Chennai

5. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.7010 of 2020

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