



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6634 of 2020

WEB COPY

J.Vimala

...Petitioner

Vs.

1. The Inspector of Police,
Secretariat Colony Police Station,
Secretariat Colony,
Chennai - 600 010.

2. The Superintendent of Police,
CBCID, Chennai.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.79 of 2020 from the file of the first respondent to CBCID, Chennai, the second respondent herein.

For Petitioner : Mr.J.Arul Prakasam

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.79 of 2020 from the file of the first respondent to CBCID, Chennai, the second respondent herein.

2. The learned counsel for the petitioner has submitted that on a complaint lodged by the counter part, the FIR has been registered in Crime No.78 of 2020 for the offence under Sections 341, 294(b), 324 and 506(ii) of IPC as against his sons. Whereas, on the complaint lodged by the petitioner, the respondent has registered a case for the offence under Sections 341, 294(b), 323, 427 and 506(1) of IPC in Crime No.79 of 2020, leaving the main accused persons. Therefore, he sought for transfer of investigation.

3. The learned Additional Public Prosecutor has submitted that there is a counter case and both the cases are clubbed together and the investigation is in progress.



4. Considering the above facts and circumstances, the transfer of investigation would not serve any purpose, since the respondent has registered the counter complaint also by the de-facto complainant and the petitioner herein in Crime No.78 of 2020. However, the first respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order. If the first respondent found any materials as against the other accused persons and also to attract any other offences, the first respondent is directed to alter the FIR accordingly.

5. With the above directions, this Criminal Original Petition is disposed of.

s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1. The Inspector of Police,
Secretariat Colony Police Station,
Secretariat Colony,
Chennai - 600 010.

2. The Superintendent of Police,
CBCID, Chennai.

3. The Public Prosecutor,
High Court,
Madras.

+1 cc to Mr.J.Arul Prakasam Advocate sr24412

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