

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

Cr1.O.P.No.10395 of 2019

K.Premanand

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.

2.State rep. by
Inspector of Police,
District Crime Branch (DCB),
Coimbatore.
(Crime No.25 of 2018)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying for direction with regard to investigation in Cr.No.25 of 2018 dated 24.08.2018 pending on the file of the second respondent police to be transferred to Crime-Branch Crime Investigation Department (CB-CID) or to any other independent investigating agency and to investigate the same and file a final report within a time framed by this Court.

For Petitioner : Mr.A.Edwin Prabakar

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

सतयमेव जयते
O R D E R

(This case has been heard through video conferencing)

This Criminal Original Petition has been filed seeking a direction to direct the first respondent police to withdraw the investigation in Crime No.25 of 2018 dated 24.08.2018 pending on the file of the second respondent police and address the same to the Crime Branch Crime Investigation Department (CB-CID) for further investigation.

2. Heard A.Edwin Prabakar, learned counsel for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the respondents.

3. Today when the petition is came for hearing, learned Additional Public Prosecutor appearing for the respondents on instructions explained the details of the investigation as in the petition mentioned crime number viz., nine accused were arrayed as A1 to A9 in which during the time of investigation, A1 to A5 and A9 were secured and produced before Jurisdictional Magistrate for the purpose of judicial custody. Subsequently, on the application moved by A6, anticipatory bail was granted. Further in respect of A7 and A8, anticipatory bail application filed by them are pending. He would further submit that in respect of the property which was stolen away, A1, A2 & A9 were returned cobra. According to him, as of now, investigation has been completed and final report is yet to be filed before the Judicial Magistrate.

4. In this regard, learned counsel for the petitioner made a submission as it would suffice to direct the second respondent to file a final report within a time frame as stipulated by this Court.

5. Accordingly, on considering the rival submissions, since for the reason of investigation had completed in a proper manner, the question of transferring the investigation is not necessary. In otherwise, since the alleged offence had happened in the year 2018, this Court directs the second respondent to file a final report within a period of two months from the date of receipt of a copy of this Order.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.

2.The Inspector of Police,
District Crime Branch (DCB),
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Edwin Prabakar, Advocate SR.34332

Cr1.O.P.No.10395 of 2019

AD(CO)
CB(10/11/2020)



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