

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.31015 of 2014 and
Crl.M.P.No.1 of 2014

P.K.Ilavarasan

... Petitioner

Vs.

1.State of Tamil Nadu rep. by,
The Principal Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009.

2.The Central Bureau of Investigation,
Rep by., The Joint Director,
Shastri Bhavan,
Chennai 600 006.

3.The Director General of Police,
Tamil Nadu Government,
Chennai 600 004.

4.The Collector,
Thiruvallur District,
Thiruvallur.

5.The Superintendent of Police,
Thiruvallur District, सत्यमेव जयते
Thiruvallur.

6.The Inspector of Police,
Kavarapettai Police Station,
Gummudipoondi Taluk,
Thiruvallur District.

7.G.Gunasekaran

8.Ramamurthy

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, (a)directing the 2nd respondent to take over the investigation in Crime No.123, 124 &

125 of 2013 on the file of Kavarapettai Police Station, Gummudipoondi Taluk, Thirvallur District. (b)directing the respondents 1, 3, 4, 5 and 6 to cooperate with the CBI in its investigation. (c)directing the 1st respondent to pay fair and just amount as compensation for the lapses of the police officers conducting effective investigation in the Crime Nos.123, 124 & 125 of 2013 on the file of Kavarapettai Police Station, Gummudipoondi Taluk, Thiruvallur District. (d)and issuing any other order or direction as this Court consider fit and proper in the circumstances of the matter.

For Petitioner : Mr.P.Rathinam

For R1 to R6 : Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to (a)direct the 2nd respondent to take over the investigation in Crime No.123, 124 & 125 of 2013 on the file of Kavarapettai Police Station, Gummudipoondi Taluk, Thirvallur District. (b)direct the respondents 1, 3, 4, 5 and 6 to cooperate with the CBI in its investigation. (c)direct the 1st respondent to pay fair and just amount as compensation for the lapses of the police officers conducting effective investigation in the Crime Nos.123, 124 & 125 of 2013 on the file of Kavarapettai Police Station, Gummudipoondi Taluk, Thiruvallur District. (d)and issue any other order or direction as this Court consider fit and proper in the circumstances of the matter.

2.The petitioner had given a representation dated 18.04.2013 to the Director General of Police, Mylapore to transfer FIR in Crime Nos.123, 124 & 125 of 2013 from the file of the Inspector of Police, Kavarapettai Police Station, Gummudipoondi Taluk, Thiruvallur District to the file of Crime Branch CID, Chennai, alleging that the petitioner is a public interest litigant working for the welfare of Peravallur Village. When RMK management laying road to their college, the petitioner along with villagers had made protest, for which two false cases were registered against the petitioner in Crime Nos.123 & 124 of 2013. These two FIRs have been registered on the basis of RMT management. Due to protest, the petitioner was assaulted. Hence, he lodged a complaint to the 6th respondent. He further submitted that the 6th respondent has not immediately acted on the complaint of the petitioner. Hence, the petitioner was constrained to make a representation to the Director General of Police, Mylapore for transfer of investigaiton.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 6 submitted that in all the cases now investigation in Crime Nos.123, 124 & 125 of 2013 have been completed and charge sheet have been filed before the Judicial Magistrate No.I, Gummidipoondi and the same were taken on file as C.C.Nos.285, 284 & 283 of 2019.

4.In view of the above, nothing survives for adjudicating the petition and the same is accordingly, dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

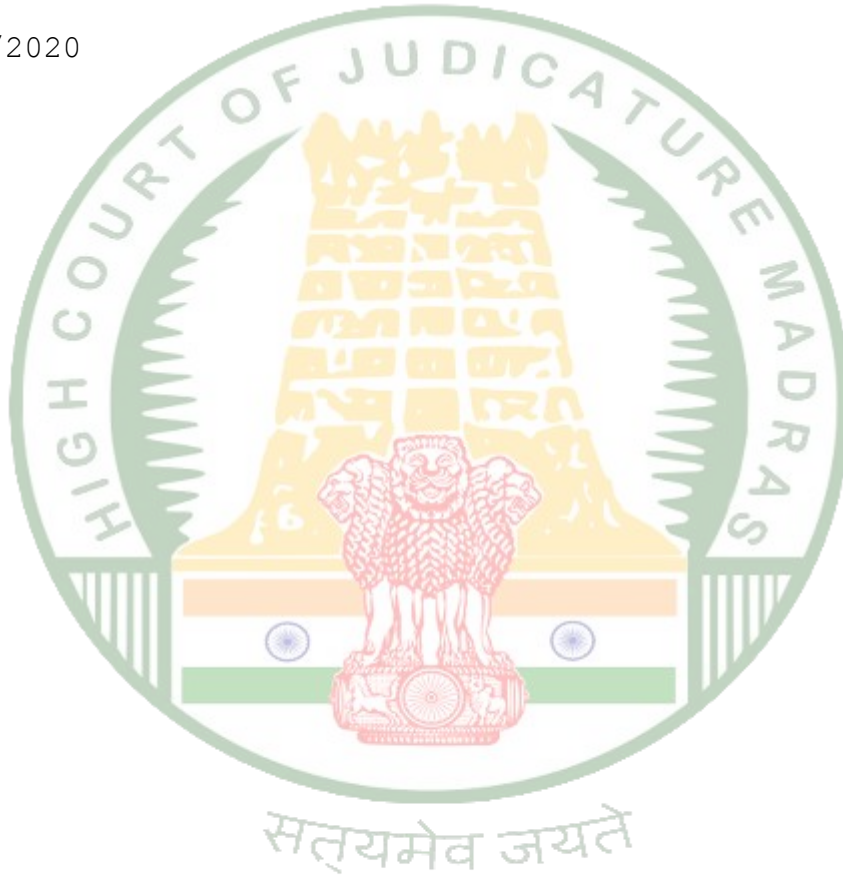
- 1.The Principal Secretary to Government,
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- 2.The Joint Director,
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Chennai 600 006.
- 3.The Director General of Police,
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- 4.The Collector,
Thiruvallur District,
Thiruvallur.
- 5.The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
- 6.The Inspector of Police,
Kavarapettai Police Station,
Gummudipoondi Taluk,
Thiruvallur District.

7.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Rathinam, Advocate SR.24944

Cr1.O.P.No.31015 of 2014

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srg 21/10/2020



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