

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.31163 of 2014
and M.P.No.1 of 2013

P.Meena

... Petitioner

Vs

1.The Superintendent of Police
Salem District
Salem

2.The Inspector of Police
Jalakandapuram Police Station
Salem District
(Crime No.186 of 2014)

3.Siranjeevi

4.Govindhan

5.Poomalai

...Respondents

Prayer: Crl.O.P., filed under Section 482 of Cr.P.C., praying to transfer the case pending on the file of 2nd respondent in Crime No.186 of 2014 to some other agency investigating agency and proceed with the investigation in accordance with law.

For Petitioner :Mr.A.Sundaravadhanan

For Respondents : Mr.R.Ravichandran,
Govt. Advocate[Criminal Side]
for R1 and R2

ORDER

This Criminal Original Petition is filed by the petitioner to transfer the complaint in Crime No.186 of 2014 to some other investigating agency.

2. The main allegation is that the respondents 3 to 6 are police officials of the concerned jurisdiction police station where the cause of action arises. Therefore, if the complaint

is investigated by the 2nd respondent, it would not be a fair investigation. Therefore, the petitioner seeks for transfer of the case in Crime No.186 of 2014 to some other investigating agency.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for Respondents 1 and 2.

4. The petitioner is the wife of the deceased Palanisamy. She made a complaint against Respondents 3 to 5 who are the police officials under the 2nd respondent. Therefore, the apprehension of the petitioner is reasonable and therefore, for fair and just investigation and in the interest of justice, case in Crime No.186 of 2014 has to be transferred from the hands of the 2nd respondent to CBCID. Accordingly, the 2nd respondent is directed to handover the entire case files to the CBCID, Salem District.

5. Since the matter is pending from 2014, CBCID Salem, is directed to investigate the matter and file charge sheet within three months from the date of receipt of a copy of this order. In case, the 2nd respondent has completed the investigation, in view of the above direction, the same is set aside. The CBCID Salem, is directed to conduct fresh investigation.

6. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CS III)

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सत्यमेव जयते
Sub Assistant Registrar

nvsri
To

- 1.The Superintendent of Police,
Salem District,
Salem.
- 2.The Inspector of Police,
Jalakandapuram Police Station,
Salem District,
(Crime No.186 of 2014).

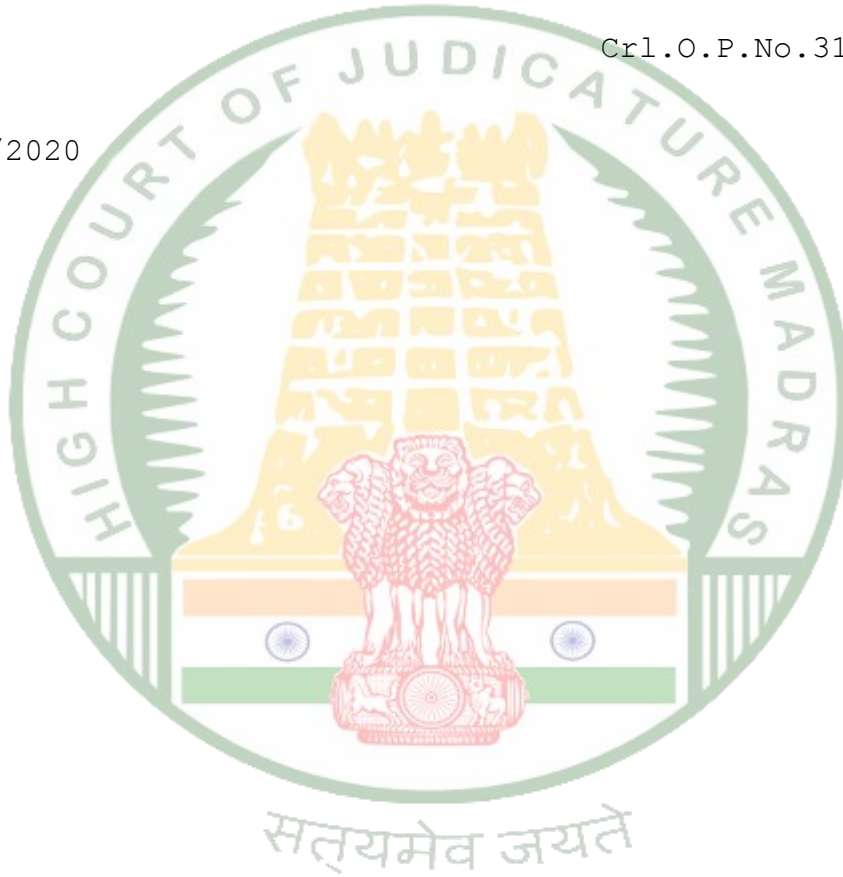
3.The Section Officer,
Criminal Section,
High Court, Madras.

4.The CBCID,
Salem.

+2cc to Mr.A.Sundaravadhanan, Advocate Sr.15308, 14135

Cr1.O.P.No.31163 of 2014

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