

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.20570 of 2019

Kannappan

.. Petitioner/ Defacto complainant

/versus/

1.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Deputy Superintendent of Police,
Bargur, Krishnagiri District.

3.The Inspector of Police,
Barur Police Station,
Krishnagiri District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation concerned in Crime No.204 of 2019, pending on the file of the third respondent and transfer the same to some other investigating officer or any other competent agency and investigate the same and to file a final report.

For Petitioner : Mr.Rameshkumar.D

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

सत्यमेव जयते
ORDER

This petition has been filed to transfer the investigation in Crime No.204 of 2019, pending on the file of the third respondent and transfer the same to some other investigating officer or any other competent agency and to investigate the same and also to file a final report.

2.The learned counsel appearing for the petitioner submitted that there is an injury on the vital part of the petitioner and the third respondent ought to have registered the First Information Report for the offence under Section 307 of IPC, but the First Information Report came to register for the offence under Sections 294(b), 323, 324, and 506(2) of IPC.

3.The learned Additional Public Prosecutor submitted that now almost the investigation is completed and final report is yet to be filed.

4.Considering the facts and circumstances of the case, this Court is of the view that at this stage, transfer of investigation cannot be considered. However, the 3rd respondent is directed to complete the investigation and file a final report, within a period of twelve weeks from the date of receipt of a copy of this order. While investigating the same, if any credence is available for the cognizance of offence under Section 307 of IPC, the third respondent is directed to alter the First Information Report.

5.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,
Krishnagiri District,
Krishnagiri.

2.The Deputy Superintendent of Police,
Bargur, Krishnagiri District.

3.The Inspector of Police,
Barur Police Station,
Krishnagiri District.

4.The Pubic Prosecutor,
High Court, Madras.

+1cc to Mr.D.Rameshkumar, Advocate, S.R.No.20997

CrI.O.P.No. 20570 of 2019

mr(CO)

jrs(27/05/2020)