

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Cr1.O.P.No.22355 of 2019

Shanmugam

S/o.Maruthamuthu

... Petitioner

Vs

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

2. The Inspector of Police,
Erode North Police Station,
Crime No.527 of 2016

3. Saraswathy,
W/o.Balasubramanian

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying direction to direct the first respondent police for transferring the investigation of the case in Crime No.527 of 2016 from the file of the second respondent police to any other police station for further investigation.

For Petitioner : Mr.T.Dhasarathan

For Respondents

For R1 & R2: Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking direction to direct the first respondent to withdraw the investigation in Crime No.527 of 2016 pending on the file of the second respondent and to entrust the same to any other police station for further investigation.

2. Heard Mr.T.Dhasarathan, learned counsel appearing for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the respondents 1 & 2.

3. Today when the petition is taken up for hearing,

Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that in respect of the petition mentioned Crime No.527 of 2016, the second respondent police conducted investigation and filed final report and the same has been taken on file in P.R.C.No.26 of 2020 on the file of the learned Judicial Magistrate No.I, Erode for the offences under Sections 302, 201, 419, 120B, 364 r/w 109 of IPC. According to him, as of now, no investigation is pending on the file of the second respondent.

4. In view of the same, for the reason that already the investigation has been completed, the question of transferring the investigation does not arise. Therefore, the prayer sought out by the petitioner become infructuous.

5. Accordingly, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rts

To

1. The Superintendent of Police,
Erode District,
Erode.
2. The Inspector of Police,
Erode North Police Station.
Erode.
3. The Public Prosecutor
Madras High Court,
Chennai.

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Crl.O.P.No.22355 of 2019

EV(CO)
GN(07/01/2021)