

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.22726 of 2017

M. Vanitha,
W/o. R. Manikavasagam,
Kambar Street, Thirukalar Post,
Mannarkudi Taluk,
Thiruvarur District - 614 713. ... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.
2. The Deputy Superintendent of Police,
Thiruvarur District, Thiruvarur.
3. The State by Inspector of Police,
Edaiyur Police Station,
Thiruvarur District.
Crime No.64 of 2017 ... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to transfer the Investigation in Crime No.64 of 2017 pending on the file of the third respondent to any other investigation agency by appreciating the above stated facts and circumstances.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.K.Prabakar
Additional Public Prosecutor

WEB COPY
O R D E R

This petition has been filed to transfer the investigation in Crime number.64 of 2017 on the file of the Inspector of Police, Edaiyur Police Station, Thiruvarur District to any other investigation agency.

2. The learned Public Prosecutor submitted that the third respondent has completed the investigation and also filed the final report and the same has been taken cognizance in S.C.No.82 of 2018 on the file of the Principle Sessions District Court, Thiruvarur District and it is pending for

trial. Therefore, the transfer of investigation cannot be considered.

3. Further, the learned counsel for the petitioner submitted that the main accused has been left out in the charge. Therefore the case has to be investigated by any other agency afresh.

4. Considering the above submissions of the learned counsels on either side, this Court feels that the transfer of investigation cannot be considered at this stage. However, the petitioner is at liberty to invoke provision under Section 319 Cr.P.C before the Trial Court during the Trial.

5. With the above observations, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

mp/lok

To

1. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.
2. The Deputy Superintendent of Police,
Thiruvarur District, Thiruvarur.
3. The State by Inspector of Police,
Edaiyur Police Station,
Thiruvarur District.
Crime No.64 of 2017
4. The Principle Sessions District Court,
Thiruvarur District.
5. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.22726 of 2017

VSN II (CO)
GN (23/10/2020)