

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

CrI.O.P.No.30174 of 2019

Saravanan
S/o. Dharuman

... Petitioner

Vs

1. The Superintendent of Police,
CBCID, Guindy, Chennai.
 2. The District Superintendent of Police,
Vellore District, Vellore.
 3. The Inspector of Police,
Oomerabad Police Station,
Vellore District.
Crime No.337/2019
- ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the second respondent herein to withdraw the case in Crime No.337 of 2019 on the file of the third respondent herein and transfer the same to the file of the first respondent, the first respondent should depute an Inspector who is efficient and honest to investigate and proceed in accordance with law and lay final report within the stipulated time prescribed by this Court.

For Petitioner : Mr.T.Muruganantham

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking direction to direct the second respondent herein to withdraw the case in Crime No.337 of 2019 on the file of the third respondent police and to transfer the same to the file of the first respondent for proper investigation and for direction to direct the Investigating Officer to file final report within the stipulated time as fixed by this Court.

2. Heard Mr.T.Muruganantham, learned counsel appearing for the petitioner and Mr.S.Karthikeyan, learned Additional

Public Prosecutor appearing for the respondents 1 to 3.

3. Today, when the petition is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 on instruction would submit that in respect of the petition mentioned crime No.337 of 2019, the third respondent police being Investigating Officer examined 14 witnesses and recorded their statements. Further he would submit that now the Investigating Officer sent a letter to the postal authorities and also to cyber crime cell, Vellore, requesting to provide the call details and also about the place in which the alleged letter has been originated. Now the letter sent by the Investigating Officer is still pending with the respective authorities. Further he prayed two months time for filing final report.

4. On considering the rival submission made by the learned counsel appearing on either side, it would reveal the fact that after registration of the case, the third respondent herein properly visited the scene of occurrence and also examined the necessary witnesses. Since the case has been registered for the offences under Sections 153A, 504, 505(2), 506(1) of IPC and 3(1)(u) of SC/ST (Prevention of Atrocities) Act, 1989 it is necessary for the Investigating Officer to find out from which place the letter has been originated and also about the call details. Therefore, it cannot be said that the third respondent herein improperly conducted the investigation. Further considering the facts and circumstances of the case, I am of the opinion that it is fit case to direct the authority concerned to monitor the investigation.

5. Accordingly, this Criminal Original Petition is disposed of with the following directions :-

(i) The third respondent is directed to complete the investigation and file final report within a period of two months from the date of receipt of copy of this Order.

(ii) The Superintendent of Police, Thirupattthur is directed to monitor the investigation conducted by the third respondent in Crime No.337 of 2019 on the file of the Oomerabad Police Station, Vellore District.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

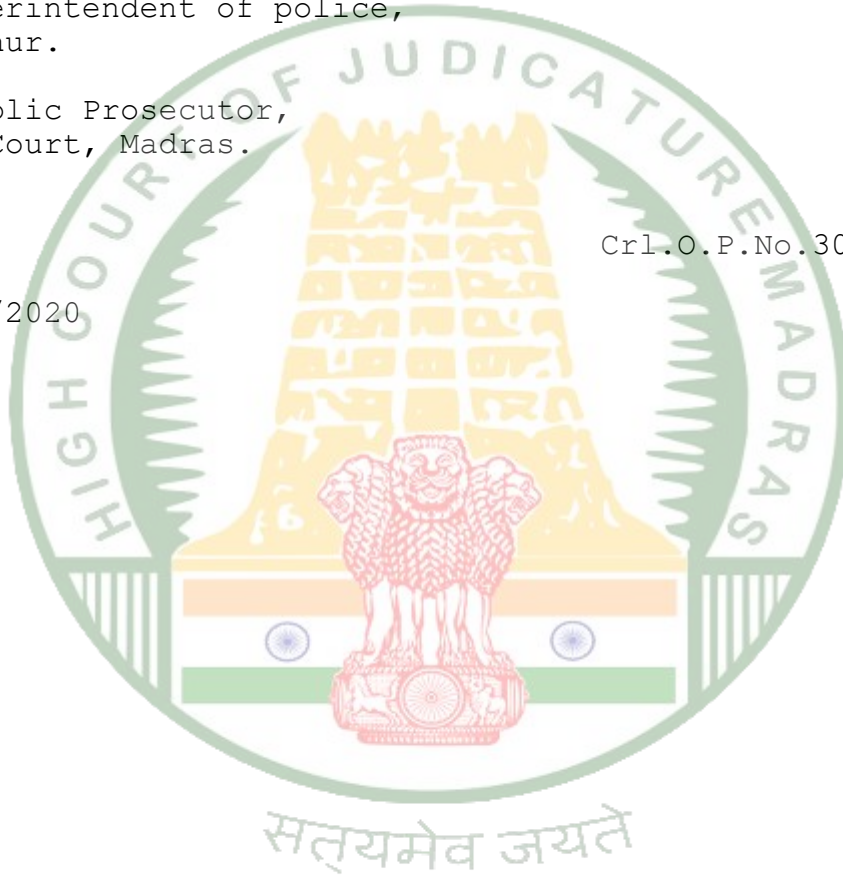
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To

1. The Superintendent of Police,
CBCID, Guindy, Chennai.
2. The District Superintendent of Police,
Vellore District, Vellore.
3. The Inspector of Police,
Omerabad Police Station,
Vellore District.
- 4 The Superintendent of police,
Thirupatthur.
5. The Public Prosecutor,
High Court, Madras.

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SDR 15/12/2020

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