

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.22984 of 2018

C.V.Presenan,
S/o.Velayudhan,
Challiyil House, Methala,
Kodungallur, Thrissur District,
Kerala.

... Petitioner

Vs.

1. The Commissioner of Police,
Veppery, Chennai.
2. State rep. by
The Inspector of Police,
S-9, Palavanthangal Police Station,
Chennai 61.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying to transfer the investigation in Crime No.269/2018 pending on the file second respondent to any other independent agency like CBCID.

For Petitioner : Mr.T.Arockia Dass

For Respondents : Mr.K.Prabakar,
Additional Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation in Crime No.269 of 2018 on the file of the second respondent to any other independent agency, such as CBCID.

2. The learned counsel for the petitioner submitted that though the respondent police registered a case in Cr.No.269 of 2018 under Section 174 of Cr.P.C. no proper enquiry was conducted. Hence, this petition is filed.

3. The learned Additional Public Prosecutor submitted that it is a case of suicide. Initially a was filed in Crime No.269 of 2018 under Section 174 of Cr.P.C, subsequently, investigation revealed it is a case of suicide and further action dropped on 01.02.2019. Therefore, no investigation is

pending on the file of the second respondent.

4. In view of the above submissions made by the learned Additional Public Prosecutor, the transfer of investigation does not arise. Accordingly, this petition is dismissed. However, the second respondent is directed to file final report, after serving referred charge sheet notice to the petitioner, before the concerned jurisdictional Magistrate within a period of two weeks from the date of receipt of a copy of this order. On receipt of the referred charge sheet, the petitioner is at liberty to file protest petition before the concerned Court, if so advised.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

pvs
To

1. The Commissioner of Police,
Veppery, Chennai.
2. The Inspector of Police,
S-9, Palavanthangal Police Station,
Chennai 61.
3. The Public Prosecutor,
High Court of Madras.

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