



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.8836 of 2020

M.Chandra

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District.

2.The Superintendent of Police,
C.B.C.I.D., Chennai.

3.The Inspector of Police,
Gandarvakkottai Police Station,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to transfer the investigation in Crime No.335 of 2020, from the file of the third respondent to the file of the second respondent or any other competent agency.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to withdraw the investigation in Crime No.335 of 2020, pending on the file of the third respondent and to transfer the same to the file of the second respondent or any other competent agency.

2.Today, when the Criminal Original Petition is taken up for hearing, Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that based on the complaint given by the petitioner, an F.I.R. in Crime No.335 of 2020 has been registered for the offence punishable under Section 365 I.P.C. on 19.06.2020 and thereafter, on 02.07.2020 the Section of Law has been altered to Sections 120-B, 302 and 201 I.P.C. He would further submit that on 21.07.2020 itself, all the accused persons were arrested and remanded to judicial custody and now, the investigation officer is seriously searching the dead body and other material evidence, which are necessary for completing the investigation in this matter.

3.Upon considering the submissions made by the learned Additional Public Prosecutor appearing for the respondents, it



appears that immediately after registration of the case, the third respondent police properly conducted investigation in this case.

4.The learned counsel appearing for the petitioner did not indicate the special circumstance, which warrants interference by this Court to transfer the investigation in Crime No.335 of 2020, pending on the file of the third respondent. In the said circumstances, I am of the considered opinion that the petition filed by the petitioner, is not all necessary at this stage. However, in view of the apprehension the petitioner is having, this Court directs the Deputy Superintendent of Police, Pudukkottai, to monitor the investigation in Crime No.335 of 2020 periodically, till the filing of final report.

5.Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AD-II)

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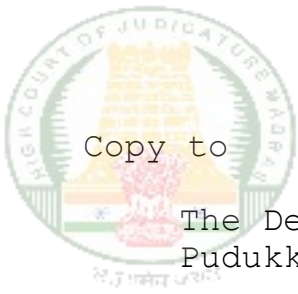
Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Pudukkottai District.
- 2.The Superintendent of Police,
C.B.C.I.D., Chennai.
- 3.The Inspector of Police,
Gandavakkottai Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to

The Deputy Superintendent of Police,
Pudukkottai District.

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