



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No. 22315 of 2016

V. Subramanian

...Petitioner

-Vs-

1. The Superintendent of Police,
Collectorate Campus,
Dindigul, Dindigul District.
2. The Deputy Superintendent of Police,
Oddanchathiram Sub Division,
Oddanchathiram, Dindigul District.
3. The Inspector of Police,
Kannivadi Police Station,
Kannivadi, Dindigul District.
4. The Sub-Inspector of Police,
Kannivadi Police Station,
Kannivadi, Dindigul District.
5. The Inspector of Police,
CBCID Special Wing,
Office of the CBCID Special Wing,
Nehruji Nagar, Dindigul Town,
Dindigul District.

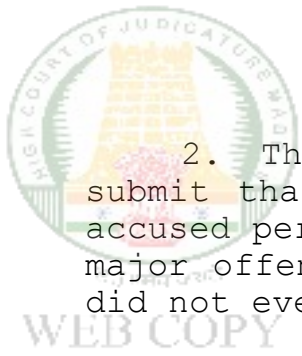
... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to withdraw the investigation of the case registered in Crime No.212 of 2016 pending on the file of the 4th respondent herein and transfer the same to the file of the 5th respondent for the purpose of taking appropriate effective and expeditious investigation towards nabbing of accused by filing consequential proper report thereon.

For Petitioner : Mr.S.A. Saravanan
For R-1 to R-5 : Mr.K.R.Bharathi Kannan
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to change of investigation in Crime No.212 of 2016 pending on the file of the fourth respondent herein to the file of the fifth respondent for expeditious investigation.



2. The learned counsel appearing for the petitioner would submit that though very serious offence has been committed by the accused person the fourth respondent did not register a case for the major offence. Further, it is submitted that the fourth respondent did not even arrest the named accused person so far.

3. The learned Government Advocate (crl. Side) appearing for the respondent police would submit that the entire investigation has been completed and yet to file final report.

4. At this stage, transfer of investigation to other investigating agency would be spoiled the entire investigation. The present complaint has been lodged by the petitioner a case has been registered in Crime No.212 of 2016 for the offences under sections 147, 148, 457 & 427 of IPC. Though, there are specific allegations in respect of caused damage to the petitioner's property and other articles, the fourth respondent did not register the case for major offence. Now, the fourth respondent has completed investigation and yet to file final report and at this stage, if the investigation transferred to the other investigating agency it would affect the entire investigation. At this stage, the prayer sought for by the petitioner cannot be granted now.

5. Accordingly, the Petition is disposed of with direction to the fourth respondent to complete the investigation and file final report, within a period of Eight Weeks, from the date of receipt of copy of the order. While, investigating the case, any other offences are made out, the fourth respondent is directed accordingly to alter the offence and file final report. The second respondent is directed to monitor the investigation done by the fourth respondent.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ksa

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,
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Dindigul, Dindigul District.
2. The Deputy Superintendent of Police,
Oddanchathiram Sub Division,
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3. The Inspector of Police,
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Kannivadi, Dindigul District.
5. The Inspector of Police,
CBCID Special Wing,
Office of the CBCID Special Wing,
Nehruji Nagar, Dindigul Town,
Dindigul District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.SARAVANAN, Advocate (SR-20947[F] dated 03/11/2020)

Crl.O.P. (MD)No.22315 of 2016

02.11.2020

SV2 (CO)
NR (04/12/2020) 3P : 8C