

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.02.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl. OP No.776 of 2021
and Crl. MP No.512 of 2021

Mrs.Logambal

...Petitioner /Defacto Complainant

vs.

1. The State Rep. By its
The Director General of Police,
Kamarajarsalai, Mylapore,
Chennai 600 004.
2. The Superintendent of Police,
Ariyalur District,
Ariyalur 621 704.
3. The Inspector of Police,
Ariyalur Police Station,
Ariyalur 621 704.
4. The Inspector of Police,
C.B.C.I.D. Ariyalur District,
Ariyalur 621 704. ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue appropriate direction transferring the investigation of the case in Crime No.293 of 2019 now pending on the file of the 3rd respondent police, to 4th respondent CBCID., Ariyalur District, Ariyalur, for proper investigation and to file a final report in the said case.

For Petitioner : Mr. G.J.Baskar Narayan

For Respondents: Mr.C.Raghavan

Govt. Advocate (Crl. Side)

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O R D E R

The Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.293 of 2019 pending on the file of the third respondent.

2. A Status Report has been filed by the third respondent. The relevant portions in the Status Report are extracted hereunder:

"4. It is submitted that during the course of investigation, the then Inspector of Police visited to place of occurrence, prepared rough sketch and observation mahazar in the presence of witnesses by name, Tr.Palanivel and Tr.Santhappan and also examined the following witnesses and recorded their statements.

- (i) Tmt. Logammal - defacto complainant/petitioner
- (ii) Tr.Rajendran - injured person/husband of the defacto complainant
- (iii) Tmt. Jayalakshmi - daughter of the defacto complainant
- (iv) Tmt. Chithra - same villager of the defacto complainant

5. It is submitted that during the course of investigation, the accused persons A-1 to A-7 filed anticipatory bail petition before the Hon'ble High Court, Madras vide CrI. OP. No.33034 of 2019 and the same was granted on 20.12.2019 with certain conditions.

6. It is submitted that the then Inspector of Police collected the wound certificate of the defacto complainant's husband Rajendran from Ariyalur Government Hospital, Ariyalur.

7. It is submitted that after completion of elaborate and detailed investigation, based on the statements of witnesses and material evidence, on 10.01.2020, the then Inspector of Police altered the section into 147, 148, 149, 341, 294(b), 324, 325, 506(ii) IPC and filed charge sheet against the accused persons [A-1 to A-7] before the learned Judicial Magistrate Court No.1, Ariyalur and the same is yet to be taken on file."

3. In view of the fact that the investigation has been completed and a Final Report has already been filed on 10.01.2020 before the learned Judicial Magistrate No.I, Ariyalur, there is no requirement for transferring the investigation.

4. This Criminal Original Petition is disposed of with the direction to the learned Judicial Magistrate No.I, Ariyalur, to act upon the Final Report filed by the respondent Police within a period of four weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

jv
To

1. The Director General of Police,
Kamarajarsalai, Mylapore,
Chennai 600 004.

2. The Superintendent of Police,
Ariyalur District,
Ariyalur 621 704.

3. The Inspector of Police,
Ariyalur Police Station,
Ariyalur 621 704.

4. The Inspector of Police,
C.B.C.I.D. Ariyalur District,
Ariyalur 621 704.

5. The Judicial Magistrate No.1
Ariyalur

6. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

सत्यमेव जयते

Cr1. OP No.776 of 2021
and Cr1. MP No.512 of 2021

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