

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6425 of 2018

Chitra Ganesh,
D/o.Balasubramanian

... Petitioner/Mother of the deceased

Vs.

1. State rep. By
The Inspector of Police,
E1, Mamallapuram,
Kancheepuram,
Crime No.556/2017.

2. State rep. By
Additional Director General of Police,
CB-CID,
Kancheepuram.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, seeking a direction to transfer the Investigation in Crime No.556 of 2017 on the file of 1st Respondent to the 2nd Respondent.

For Petitioner : M/s.Aruna Elango

For Respondents: Mr.Shanmuga Rajeswaran
Government Advocate for
R1 and R2

O R D E R

This Criminal Original Petition has been filed seeking direction to transfer the Investigation in Crime No.556 of 2017 on the file of 1st Respondent to the 2nd Respondent.

2. Learned counsel for the petitioner submits that the petitioner is the mother of the deceased, who was brutally murdered by the accused on 24.12.2017 and the case is registered in Crime No.556 of 2017 for the offence under Section 302 IPC. Though the crime pertains to the year 2017, since there is no progress in the investigation, left with no other option, the petitioner has approached this Court by way of filing the

present petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents and perused the materials available in the typed set of documents.

4. Though the prayer sought for in this petition is for transfer of investigation from the file of the 1st respondent to the 2nd respondent, however, when the Court pointed out that but for the slackness in investigation, nothing adverse has been pointed out against the 1st respondent for the purpose of seeking transfer of investigation and, therefore, it would not be in the interest of either parties to transfer the investigation from the file of the 1st respondent at this point of time, in this regard, learned counsel appearing for the petitioner submitted that in such circumstances, this Court may direct the 1st respondent/investigating agency to complete the investigation and file the final report within a time frame fixed by this Court.

5. Taking into consideration the entire factual matrix and also the fact that the crime pertains to the year 2017 and a period of four years have been passed since then, this Court is of the considered opinion that the 1st respondent/investigating agency should be directed to complete the investigation within a prescribed period.

6. Accordingly, this petition is disposed of with a direction to the 1st respondent police to complete the investigation in Crime No.556 of 2017, pending on its file, within a period of six months from the date of receipt of a copy of this order, if not completed by now.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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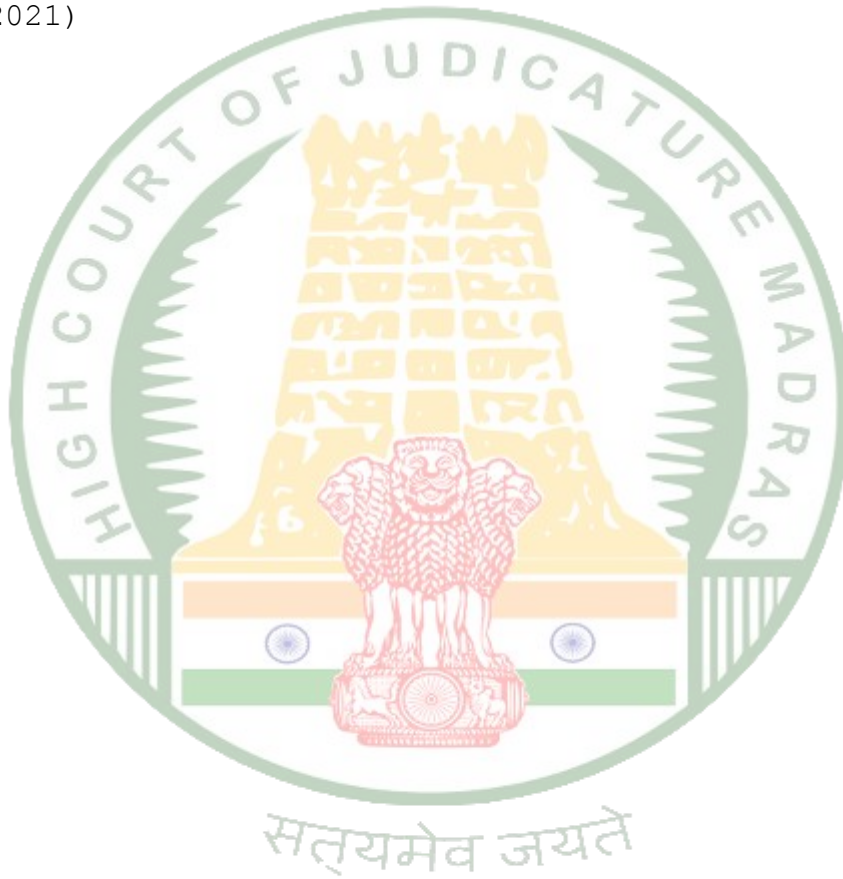
1. The Inspector of Police,
E1, Mamallapuram,
Kancheepuram,
Crime No.556/2017.

2. State rep. By
Additional Director General of Police,
CB-CID,
Kancheepuram.

3. The Public Prosecutor,
High Court of Madras, Chennai.

Crl.O.P.No.6425 of 2018

PMK (CO)
CB (18/05/2021)



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