

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.4615 of 2021

M.Mani

...Petitioner

.Vs.

1. State by

The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur District.

2. The Inspector of Police,
Kunnam Police Station,
Perambalur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent herein to Transfer the investigation in connection with Crime No.1233 of 2020, which is pending on the file of the second respondent.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.1233 of 2020, pending on the file of the 2nd respondent.

2.The petitioner is the father of the deceased. Based on the complaint given by the petitioner, an FIR came to be registered in Crime No.1233 of 2020 under Section 174(3) Cr.P.C. The grievance of the petitioner is that his daughter was subjected to cruelty and there was a demand for dowry and that she was assaulted and was murdered and inspite of the same, respondent Police have not taken any action against the accused persons and there has been no progress in the investigation.

3.The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and a charge sheet is ready to be filed against the accused persons for an offence under Section 498-A and 304(B)

4. This Court has carefully considered the submissions made on either side and the materials available on record.

5. In the considered view of this Court, since the investigation has already been completed and the final report is ready to be filed before the concerned Court, there shall be a direction to the 2nd respondent to file the final report before the Additional Mahila Court, Perambalur, within a period of two weeks from the date of receipt of a copy of this order. The concerned Court shall act upon the final report within a period of four weeks thereafter.

6. In view of this development, this Court is not inclined to transfer the investigation at this stage. The petitioner can always go through the final report filed by the respondent police and if he is not satisfied with the investigation, the petitioner can always file an application before the appropriate Court and redress his grievance.

This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur District.
2. The Inspector of Police,
Kunnam Police Station,
Perambalur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Kingston Jerold, Advocate, S.R.No.15279.

CRL.O.P.No.4615 of 2021

SKY(CO)
CSR 29.03.2021