

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2021

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.19884 of 2020

Usha Rani

.. Petitioner/Defacto Complainant

Vs

The State rep by its.

The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore District.

.. Respondent/Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.1088 of 2020 (on the file of the Inspector of Police, Bhuvanagiri Police Station, Cuddalore District) from the respondent herein to any other agency.

For Petitioner :Mr.Suresh

For Respondent :Mr.Mohammed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed seeking for transfer of investigation in Crime No.1088 of 2020, pending on the file of the respondent police.

2.The learned Additional Public Prosecutor on instructions submitted that the FIR was registered under Section 174 Cr.P.C. since, the death took place under suspicious circumstances. The learned counsel further submitted that nearly 22 witnesses were examined by the Investigation Officer and their statements have also been recorded. The learned counsel further submitted that the viscera has been sent for chemical examination on 28.10.2020 and immediately after the receipt of the report, a final report will be filed before the concerned Court. Mr.Robinson, Investigation Officer was also present at the time of hearing through Video conferencing.

3.The learned counsel for the petitioner submitted that it is more than four months since the FIR was registered and there was no progress in the investigation.

4.In the considered view of this Court, the Investigation Officer has examined nearly 22 witnesses and the investigation is almost completed and the Officer is only awaiting for the

viscera report. Therefore, this Court is not inclined to interfere with the investigation at this stage. The effectiveness of the investigation will get revealed only after the final report is filed along with all the materials. The petitioner will have to necessarily wait for the filing of the final report and thereafter, if she has any grievance, can workout her remedy in the manner known to law.

5.This Criminal original petition is disposed with a direction to the respondent police to file a final report before the concerned Court, within a period of three months from the date of receipt of copy of this order.

Sd/-

Assistant Registrar (CS.VIII)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore District.
- 2.The Public Prosecutor,
High Court of Madras.

AKM/25.02.21/ 2P-3C/

Crl.O.P.No.19884 of 2020
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