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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.03.2021**

CORAM:

THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

Crl.O.P.(MD)No.3372 of 2021
and
Crl.M.P.(MD)No.1849 of 2021

M.Immanuel Prasad ...Petitioner

/Vs./

1.The Director Genaral of Police,
Office of the Director General of Police,
Beach Road, Chennai.

2.The Superintendent of Police,
Crime Branch,
Crime Investigation Department (CBCID),
SIDCO Electronic Complex,
Block No.3, 1st Floor,
Guindy Industrial Estate,
Chennai - 32.

3.The Deputy Superintendent of Police,
District Crime Branch,
District Police Office campus,
Palayamkottai.

4.The Branch Manager, Punjab National Bank,
Tenkasi Branch, Tenkasi, Tenkasi District.

5.Rajiv ...Respondents

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to transfer the investigation in C.C.No.1070 of 2020 on the file of the Judicial Magistrate No.I, Tirunelveli from the third respondent to the second respondent.

For Petitioner : Mr.R.M.Suresh
For Respondent Nos.1 to 4 : Mr.S.Chandra Sekar
Additional Public Prosecutor

ORDER

The present petition is filed by the petitioner seeking for transfer of investigation in C.C.No.1070 of 2020 on the file of the Judicial Magistrate No.I, Tirunelveli.

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2.It is seen that the Deputy Superintendent of Police, District Crime Branch, Palayamkottai, after concluding the investigation, laid a final report before the learned Judicial Magistrate No.I, Tirunelveli in C.C.No.1070 of 2020 and the Magistrate has also taken cognizance of the offences against the petitioner. Once a final report filed by the police before a Magistrate, and the Magistrate takes cognizance of the offences, there is no question of directing the police to once again investigate the case under Section 482 of the Code of Criminal Procedure. Moreover, no valid grounds are raised by the present petitioner for invoking the provisions of Section 482 of the Code of Criminal Procedure. Hence, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Director Genaral of Police,
Office of the Director General of Police,
Beach Road, Chennai.

2.The Superintendent of Police,
Crime Branch,
Crime Investigation Department (CBCID),
SIDCO Electronic Complex,
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4.The Branch Manager, Punjab National Bank,
Tenkasi Branch, Tenkasi, Tenkasi District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
Crl.O.P.(MD)No.3372 of 2021
Dated: 04.03.2021

MA(CO)
TR(29.03.2021) 3P 6C

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