



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2021

CORAM :

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THE HONOURABLE MRS. JUSTICE R. HEMALATHA

CrI.OP.(MD)Nos.8874 & 8875 of 2020 &
CrI.MP(MD)Nos.4181 & 4182 of 2020 and 2072 & 2074 of 2021

Parthibaraja ... Petitioner in both petitions

vs.

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police,
Cheranmahadevi Sub-Division,
Tirunelveli District.

3.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

4.The Inspector of Police,
C.B.C.I.D. Wing,
Tirunelveli District.

... Respondents 1 to 4
in both petitions

5.K.Esakkiraja,
The Sub Inspector of Police,
Pathamada Police Station,
Tirunelveli District.

.. 5th respondent in CrI.OP(MD)No.8875 of 2020

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure to transfer the investigation in Crime No.301 of 2019 and Crime No.280 of 2018 respectively from the file of the third respondent to the fourth respondent.

For Petitioner : Mr.Dilipan Pandiyan
(in both petitions) for Mr.R.Anand

For R1 to R4 : Mr.A.Robinson,
(in both petitions) Government Advocate (Criminal Side)

C O M M O N O R D E R

These Criminal Original Petitions are filed seeking for a direction to transfer the investigation in Crime Nos.301 of 2019 and 280 of 2018 of Veeravanallur Police Station to the Inspector of Police, C.B.C.I.D. Wing, Tirunelveli District.



2. At the time of admission, this Court granted an order of interim stay of all further proceedings on 25.08.2020 in both the petitions.

3. Mr.A.Robinson, learned Government Advocate (Criminal Side) filed petitions in Crl.MP(MD)Nos.2072/2021 and 2074/2021, the criminal original petitions to vacate the interim order of stay granted by this Court on 25.08.2020. The specific contention of the learned Government Advocate (Criminal Side) is that even before the filing of both the criminal original petitions, the Inspector of Police, Veeravanallur Police Station, Tirunelveli District after concluding investigation, laid final reports before the Judicial Magistrate, Cheranmahadevi and both the cases were taken on file by the concerned Judicial Magistrate. According to him, the petitioner suppressing the above said facts has filed the present petitions.

4. A perusal of the records shows that the final reports were filed as early as on 27.01.2021 and they were taken on file on 28.01.2021. In the circumstances, both the Criminal Original Petitions are dismissed and order of interim stay granted by this Court is also vacated. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Writs)

// 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 Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Cheranmahadevi Sub-Division,
Tirunelveli District.
- 3.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.



4.The Inspector of Police,
C.B.C.I.D. Wing,
Tirunelveli District.

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Crl.MP(MD)Nos.4181 & 4182 of 2020
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AC (CO)
TR(15.04.2021) 3P 5C