



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.8461 of 2021

and

Crl.M.P.(MD)No.4346 of 2021

WEB COPY

D.Muniasamy

... Petitioner/A-2

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Elayirampennai Police Station,
Vembakkottai Talum,
Virudhunagar District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent herein to transfer the investigation in Crime No.21 of 2021 from the file of the 2nd respondent to any other police station for investigation.

For Petitioner : Mr.Mariappan.N

For Respondents : Mr.R.M.Anbunithi,

Additional Public Prosecutor

ORDER

This petition is filed to transfer the investigation in Crime No.21 of 2021 from the file of the second respondent to any other police officer.

2.The case of the petitioner is that he is figuring as A2 in Crime No.21 of 2021 registered on the file of the second respondent for the offences under Sections 294(b), 323, 324, 307 and 506(ii) of I.P.C., on 17.01.2021. The grievance of the petitioner is that he was not at all present in the place of occurrence on 17.01.2021. The CCTV footage available in the spot will show that the petitioner was not at all present in the scene of occurrence. To prove the same, he made a request to the investigation officer to seize the CCTV footage that is available in the place of occurrence. A copy of the same is not produced along with this petition. But the learned counsel for the petitioner submitted that the petitioner made such a representation. Since the second respondent is not looking the matter in this angle, he seeks transfer of investigation.



3.The learned Additional Public Prosecutor submitted that totally 14 witnesses have been examined and investigation is completed and the final report is made ready. Since the final report is made ready, it is not possible to transfer investigation and pressed for dismissal of this criminal original petition.

4.Since the final report is made ready, the question of transferring the investigation does not arise at all and the petitioner has to workout his remedy before appropriate forum.

5.With this liberty to the petitioner, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// 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,
Office of the Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
Elayirampennai Police Station,
Vembakkottai Talum,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.8461 of 2021

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