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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

CORAM

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

Cr1.O.P.No.16389 of 2016

Kiresh Thyagaraj

...Petitioner

Vs.

1.State represented by,
The Commissioner of Police,
Coimbatore.

2.The Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore.

...Respondents

Prayer :- Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to transfer the investigation of FIR No.23 of 2016 on the file of City Crime Branch, Coimbatore to CBCID or any other agency with a direction to complete the investigation within the time stipulated by this Court.

For Petitioner : Mr.R.Sivakumar

For Respondents: R.Murthi
Government Advocate (Criminal side)
High Court of Madras.

ORDER

This petition is filed to transfer the investigation of FIR No.23 of 2016 on the file of City Crime Branch, Coimbatore to CBCID with a direction to complete the investigation within the time stipulated by this Court.

2.Learned counsel for the petitioner submitted that, the transfer is mainly sought on the ground that after registration of the first information report, there was no progress in the investigation and therefore, the first information report has to be transferred to CBCID.



3. Per contra, learned Government Advocate submitted that notice was sent to petitioner with a direction to appear for an enquiry on 04.10.2019 and then on 11.10.2019. On both the days, it is submitted by the learned Government Advocate that, petitioner has not appeared before the Sub Inspector of Police, City Crime Branch, for enquiry. It is also submitted by the learned Government Advocate that, in view of non appearance / non cooperation of the petitioner, investigation in this case could not be completed.

4. Considering the rival submissions, the limited scope of this petition, this Court is of the considered view that the respondent police can be directed to complete the investigation within the time prescribed and file final report and it is not necessary to transfer the investigation to CBCID.

5. In this view of the matter, this Court directs the second respondent to complete the investigation within a period of three months from the date of receipt of copy of this order and file final report before the competent Court having jurisdiction. Accordingly, this Criminal Original Petition in CrI.O.P.No.16389 of 2016 is disposed of.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Coimbatore.

2. The Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore.

3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.16389 of 2016

RK(CO)
GMY(04/05/2022)