



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.3780 of 2015

Loganathan ..Petitioner/Defacto Complainant

Vs.

- 1.The State,
Inspector of Police,
Oomerabad Police Station,
Ambur Taluk, Vellore District,
Crime No.168 of 2014.
- 2.The Deputy Superintendent of Police,
Ambur Town & Taluk,
Vellore District.
- 3.The Superintendent of Police,
Vellore District.

..Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., seeking to transfer the investigation from the first respondent, the Inspector of Police, Oomerabad Police Station, Ambur Taluk, Vellore District to CB-CID, Vellore District and investigate the aforesaid case in a proper manner.

For Petitioner	:	Mr.D.Thirumoorthy
For Respondents	:	Mr.C.E.Pratap, Govt. Advocate (Crl.Side)

O R D E R

This criminal original petition has been filed seeking to transfer the investigation in Crime No.168 of 2014 on the file of the first respondent police to CB-CID, Vellore.

2. The petitioner is the defacto complainant. The petitioner's wife was attacked by his daughter-in-law and caused her death. Hence the petitioner has filed a complaint before the first respondent police as early as on 22.06.2014 and based on his complaint a crime was registered under section 174(3) Cr.P.C. and subsequently after investigation



the crime has been altered to Section 302 I.P.C. As no final report has been filed by the first respondent police, the petitioner has come up with this petition seeking transfer of the investigation to the file of CB-CID, Vellore.

WEB COPY

3. Today, the second respondent, Deputy Superintendent of Police, Ambur Sub Division, Tirupattur District has filed a counter affidavit stating that after through investigation, the investigation officer has stated that the crime remains undetected. Thereafter, the second respondent took up the investigation and after investigation, filed RCS No.55 of 2021 on 25.12.2021 as the crime remains undetected. RCS notice was also served on the petitioner on 26.12.2021.

4. Considering the fact that the investigation has been completed and RCS has been filed, at this stage, the prayer as sought for by the petitioner cannot be maintained. However, if the petitioner has any grievance over the RCS, it is always open for him to contest the same in the manner known to law. The respondents are directed to serve a copy of RCS once again to the petitioner. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

kk

To

- 1.The Inspector of Police,
Oomerabad Police Station,
Ambur Taluk, Vellore District,
Crime No.168 of 2014.
- 2.The Deputy Superintendent of Police,
Ambur Town & Taluk,
Vellore District.
- 3.The Superintendent of Police,
Vellore District.
- 4.The Public Prosecutor,
High Court, Madras-104.

+1cc to M/s.S.P.Arthi, Advocate SR. No.2344

Cr1.O.P.No.3780 of 2015