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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.4262 OF 2022

G.Elumalai ... Petitioner

Vs

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

2. The Inspector of Police,
   District Crime Branch,
   Villupuram District. ... Respondents

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.29 of 2021 from the second respondent to some other officer within his jurisdiction for the purpose of conducting a proper investigation into the matter within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.C.Uma

For Respondents : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

O R D E R

The present petition has been filed seeking for a direction to the first respondent to transfer the investigation in Crime No.29 of 2021 from the second respondent to some other officer within his jurisdiction for the purpose of conducting a proper investigation.

2. When the matter is taken up for hearing, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the second respondent had completed the investigation and had filed the final report before the trial Court on 25.01.2022.

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3. In view of the above, this petition cannot be ordered. However, as per the Judgment of the Hon'ble Supreme Court in the case of Vinubhai Haribhai Malaviya and others. Vs. State of Gujarat and Another reported in (2019) 17 SCC 1, if the petitioner is aggrieved with the final report, the petitioner is entitled to proceed in accordance with law. The prayer sought by the petitioner cannot be granted.

4. With the above observation, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

shk/sai

To

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

2. The Inspector of Police,
   District Crime Branch,
   Villupuram District.

3. The Public Prosecutor,
   Madras High Court,
   Madras.

+1cc to Mr.C.Uma, Advocate, S.R.No.11798

Crl.O.P.No.4262 of 2022

RR(CO)
PM/14/03/2022

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