



WEB COPY



W.P.No.3137 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23/11/2022

C O R A M

THE HONOURABLE Mr.JUSTICE **N.SATHISH KUMAR**

Writ Petition No.3137 of 2013

and

M.P.Nos.1 to 3 of 2013

1. S. Yusuf Siddique

2. K.P.Ravichandran

...

Petitioners

Vs

1. The Home Secretary

Government of Tamil Nadu

Secretariat, Fort St. George

Chennai 600 009.

2. The Additional Director General of Police

CB CID – Crime

Alandur

Chennai.

3. The Superintendent of Police

CB CID – Crime

Alandur

Chennai.

4. The Deputy Superintendent of Police

CB CID – Crime

Alandur

Chennai.



W.P.No.3137 of 2013

5. The Inspector of Police
Video Piracy Cell II, Ayanavaram
CB CID – Crime
Chennai.

6. The Inspector of Police
CCB, Egmore
Chennai.

7. Jagannathan ... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus directing the respondents
to transfer the investigation from fifth and sixth respondents in Crime
No.5 of 2013 and 16 of 2013 dated 9/1/2013 & 11/1/2013, respectively
to some other investigating agency.

For Petitioners ... Mr.N.Senthil Kumar

For Respondents ... Mrs.P.Rajarajeswari
Government Advocate
for R.R.1 to 6

No appearance for R.7

ORDER

This writ petition has been filed to direct the respondents to
transfer the investigation from fifth and sixth respondents in Crime Nos.5



W.P.No.3137 of 2013

of 2013 and 16 of 2013, dated 9/1/2013 & 11/1/2013, respectively, to some other investigating agency.

2. Heard Mr.N.Senthil Kumar, learned counsel for the petitioners and Mrs.P.Rajarajeswari, learned Government Advocate for the respondents 1 to 6. There is no representation on behalf of the seventh respondent.

3. Learned Government Advocate appearing for the respondents 1 to 6 submitted that investigation has already been transferred to Video Piracy Cell - II, on 22/5/2013 and now the investigation is completed and final report has been filed and the same is taken on file in C.C.No.4144 of 2013.

4. It is further submitted by the learned Government Advocate that third accused is reported dead, pending criminal proceedings and A.2 is still absconding and Non-bailable warrant has been issued against A.2, which resulted in splitting up of the case, in C.C.No.1697 of 2020, on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.



W.P.No.3137 of 2013

5. In such a view of the matter, this Court is of the view that question of transferring the said case does not arise at all and the very filing of the writ petition itself would indicate that the intention of the petitioners is only to drag on the proceedings.

6. In view of the above, writ petition is dismissed. Learned XI Metropolitan Magistrate, Saidapet, Chennai, is directed to expedite the trial in C.C.No.1697 of 2020, and dispose of the same, without any further delay. No costs. Consequently, connected Miscellaneous Petitions are closed.

10/11/2022

Index : Yes/No
Internet : Yes/No

mvs.



W.P.No.3137 of 2013

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N.SATHISH KUMAR,J

mvs.

W.P.No.3137 of 2013

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