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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.13370 OF 2022

Pazhani ...Petitioner / Defacto Complainant
Vs.

1.The Inspector of Police,
B-6, Mappedu Police Station,
Thiruvallur District. ...1st Respondent / Complainant
[Crime No.58 of 2022]

2.The Superintendent of Police,
Thiruvallur District, Thiruvallur. ...2nd Respondents

Prayer : This Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Crime No.58 of 2022 pending on the file of the first respondent Police to some other fair independent investigation agency and direct them to investigate the petitioner's complaint and file final report in accordance to law.

For Petitioner : Ms.D.Hymavathy

For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.58 of 2022 pending on the file of the first respondent to some other fair independent investigating agency and direct them to investigate the petitioner's complaint and file a final report in accordance with law.

2. The learned counsel appearing for the petitioner would submit that despite the FIR has been registered in Crime No.58 of 2022, the investigation has not been completed and final report has also not been filed. It is also the submission of the learned counsel appearing for the petitioner that the complaint given by the petitioner may be closed by the first respondent as "mistake of fact". Therefore, seeks to transfer the Investigation to some other Investigating Agency.



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3. The learned Government Advocate [Criminal Side] appearing for the respondents submitted that the second respondent will complete the investigation and file the final report.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Crl.side] appearing for the respondents.

5. The mere apprehension of the petitioner that his complaint will be closed by the first respondent cannot be a ground to transfer the investigation to some other Investigating Agency. It is for the Investigating Officer to conduct investigation in a fair manner and file a final report. In the event any negative report is filed, the petitioner is entitled to file protest petition before the Magistrate concerned and proceed further as per law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

vrc

To

- 1.The Inspector of Police,
B-6, Mappedu Police Station,
Thiruvallur District.
[Crime No.58 of 2022]
- 2.The Superintendent of Police,
Thiruvallur District, Thiruvallur.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

Crl.O.P.No.13370 of 2022

GSM(CO)
RVM(04/07/2022)