



CrI.O.P.No.15201 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

CRL.O.P.No.15201 of 2022

S.Ayyadurai

... Petitioner

Vs.

1.State by Inspector of Police
M-4, Red Hills Police Station
Chennai

2.The Deputy Commissioner of Police
Avadi, Tiruvalluvar District

3.The Commissioner
Avadi, Thiruvallur District

4.The CBCID
Chennai 600 032

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.411 of 2022 on the file of the 1st respondent to the 4th respondent under the supervision of Assistant Commissioner of Police to investigate the matter and submit the report within the stipulated time that may be fixed by this Court.



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For Petitioner : Mr.K.Muruganantham

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation pending in Crime No.411 of 2022 on the file of the 1st respondent to the 4th respondent under the supervision of Assistant Commissioner of Police to investigate the matter and submit the report within the stipulated time that may be fixed by this Court.

2.The main apprehension of the petitioner is that the employer of the deceased has not informed about the death of the deceased to the family members and he has not taken any steps to file any complaint. Therefore, the apprehension that he might have committed an offence.

3.Learned Additional Public Prosecutor would submit that the investigation is conducted in a right track and mere apprehension or perception of the parties cannot be a ground for seeking transfer of the



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investigation. The F.I.R itself discloses that the deceased was found injured in the premises owned by one Srinivasan. The neighbouring person has spotted the deceased and informed the owner and he has also rushed to the place and taken the deceased to the hospital. In such view of the matter, merely because the owner / employer has not lodged a complaint, one cannot be apprehended that he is the culprit. It is for the investigation officer to conduct investigation and proceed as per law.

4. Such view of the matter, the Court does not find any materials to substantiate the submissions of the learned counsel for the petitioner. The petition stands dismissed. The respondent police is hereby directed to conclude the investigation expeditiously to see that the F.I.R reaches its logical end.

04.07.2022

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Index: Yes / No

Internet : Yes / No

Speaking / Non Speaking order



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N.SATHISH KUMAR, J.

kas

To.

1.The Inspector of Police
M-4, Red Hills Police Station
Chennai

2.The Deputy Commissioner of Police
Avadi, Tiruvalluvar District

3.The Commissioner
Avadi
Thiruvallur District

4.The CBCID
Chennai 600 032

5.The Public Prosecutor,
High Court of Madras.
Chennai – 600 104.

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