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CrI.O.P.No.16402 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.16402 of 2021

and

CrI.M.P No.8941 of 2021

S.Balasubramanian

... Petitioner

Vs.

The State Rep. by

1.The Superintendent of Police
Perambalur District.

2.The Inspector of Police
Mangalamedu Police Station
Perambalur District.

3.The Inspector of Police
CBCID
Perambalur District.

4.Dr.Sivakumar

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. praying to direct the 1st respondent to transfer the investigation in respect of Crime No.107 of 2020 pending on the file of the 2nd respondent,



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to any other independent agency morefully to the 3rd respondent based on the petitioner's representation dated 23.03.2020.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1 toR3

ORDER

This Criminal Original Petition has been filed, seeking to direct the 1st respondent to transfer the investigation in respect of Crime No.107 of 2020 pending on the file of the 2nd respondent, to any other independent agency, morefully to the 3rd respondent based on the petitioner's representation dated 23.03.2020.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

3. The learned counsel for the petitioner submitted that the 2nd respondent has not investigated the case properly and he did not take note of the serious injuries sustained by the petitioner and his relatives; despite



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he had enclosed the medical records, due attention has not been paid by the 2nd respondent /Investigating Officer; the CCTV footage from the Sub Registrar office, Valikandapuram was also not seized by the 2nd respondent; the petitioner, who appeared for enquiry has given a written undertaking that he would produce the audio clippings in a pendrive.

4. The learned Additional Public Prosecutor submitted that the investigation is almost completed.

5. It is seen from the status report submitted by the 2nd respondent that he had enquired the doctor who had given the wound certificate and it did not reveal any external injuries on the petitioner and his relatives. It is further stated that the Inspector of Police examined the Sub Registrar office and he could not get any CCTV footage from there. Since the petitioner is very much confident that he can procure the CCTV footage from the Sub Registrar office, the 2nd respondent can receive the same and examine it. Though it was submitted by the petitioner during last hearing itself that the CCTV footage were handed over to the 2nd respondent, so far it was not



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6. Taking into consideration of the submission of the learned counsel for the petitioner, a further time of four weeks is given to the 2nd respondent to complete the investigation from the date of receipt of a copy of this order. The petitioner shall produce the CCTV footage, if any within a period of two weeks for the examination of the second respondent.

7. With the above observation, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

16.11.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order

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To

- 1.The Superintendent of Police
Perambalur District.
- 2.The Inspector of Police
Mangalamedu Police Station
Perambalur District.
- 3.The Inspector of Police
CBCID
Perambalur District.
- 4.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA,J.

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and
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16.11.2022