

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 18743 of 2020

Muthusamy

... Petitioner/Defacto Complainant

Vs.

1. The Superintendent of Police,  
Perambalur,  
Perambalur District.

2. The Inspector of Police,  
V.Kalathur Police Station,  
Perambalur District.

Crime No.243 of 2020

... Respondents/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to pass an order to transfer the investigation of the above said case in Crime No.243 of 2020 on the file of the second respondent herein viz, The Inspector of Police, V.Kalathur Police Station, Perambalur District to the file of the Superintendent of Police, CBCID, Perambalur, Perambalur District or to any other competent investigating agency for proper investigation.

For Petitioner : Mr.S.Sasikumar

For Respondents : Mr.A.Gopinath  
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to transfer the case in Crime No.243 of 2020 on the file of the second respondent herein to the file of the Superintendent of Police, CBCID, Perambalur, Perambalur District or to any other competent investigating agency.

2. Heard Mr.S.Sasikumar, learned counsel for the petitioner and Mr.A.Gopinath, Government Advocate (Crl.Side), learned counsel appearing for the respondents.

3. It is seen from the records that the petitioner/defacto complainant lodged the complaint before the second respondent police and FIR has been registered in Crime No.243 of 2020 for the offence under Sections 147, 148, 294(b), 324, 307, 447 and 506(ii) IPC. In this case, the main accused was granted anticipatory bail, on condition, that the injured persons was treated as out-patient and they shall report before the respondent police daily twice until further orders. Therefore, they were granted anticipatory bail.

4. A perusal of the status report filed by the second respondent reveals that they have already obtained defacto complainant and other wound certificates and examined so many witnesses. Now, the second respondent is about to complete the investigation and file a final report. At this stage, the transfer of investigation to the first respondent or any other competent agency will affect the entire investigation, since the entire investigation has already done by the second respondent goes without meaning. Therefore, this Court finds that now transfer of investigation to any other competent agency is unnecessary. However, the second respondent is directed to complete the investigation and file the final report within a period of eight weeks from the date of receipt of a copy of this order and the first respondent is directed to monitor the investigation of the second respondent.

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

Sd/-  
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

drl

To

1. The Superintendent of Police,  
Perambalur,  
Perambalur District.

2. The Inspector of Police,  
V.Kalathur Police Station,  
Perambalur District.
3. The Public Prosecutor,  
High Court, Madras.

Crl.O.P.No. 18743 of 2020

VG-II (CO)  
UMA(12/07/2022)