



WEB COPY



Crl.O.P.No.22582 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.22582 of 2022

Prabakaran

...Petitioner

-Vs-

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

2. The Inspector of Police,
Pullarambakkam Police Station,
Tiruvallur District.

...Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to pass an order of direction for transfer of investigation from the file of the second respondent to the file of the Inspector of Police, CBCID, Tiuvallur and to conduct a free and fair investigation concerned in Crime No.101 of 2022 and to file a final report within a stipulated time by including all the correct accused persons who committed the offences with corresponding sections.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)



Crl.O.P.No.22582 of 2022

ORDER

This Criminal Original Petition has been filed to transfer the investigation from the file of the second respondent to the file of the Inspector of Police, CBCID, Tiuvallur and to conduct a free and fair investigation concerned in Crime No.101 of 2022 and to file a final report within a stipulated time.

2. Heard, Mr.C.Prabakaran, learned counsel appearing for the petitioner and Mr.S.Santhosh, learned Government Advocate appearing for the respondents.

3. The learned counsel for the petitioner would submit that the main accused person was left out by the complaint lodged by the second respondent. The second respondent also registered an FIR on the complaint lodged by the accused person. Both FIRs are pending on the file of the second respondent.

4. The major offence was not found in the FIR. For these reasons, the investigation cannot be transferred to the other investigating agency, for which the counter claim has also registered in Crime No.100 of 2022



Crl.O.P.No.22582 of 2022

and it is pending for investigation.

WEB COPY

5. However, the second respondent is directed to follow the procedure laid down under Section 588A of the Police Standing Order and complete the investigation in both Crime Nos.100 & 101 of 2022 and file a final report. It is made clear that any of the allegations made out as against the other accused persons, the second respondent is at liberty to add that person as an accused. The first respondent is directed to monitor the investigation by the second respondent.

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

20.09.2022

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

G.K.ILANTHIRAIYAN. J.

Lpp



Crl.O.P.No.22582 of 2022

To

WEB COPY

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

2. The Inspector of Police,
Pullarambakkam Police Station,
Tiruvallur District.

3. The Public Prosecutor
Madras High Court.

Crl.O.P.No.22582 of 2022

20.09.2022