



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2022

CORAM:

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

Crl.O.P.(MD) No.2712 of 2022

A.Mercy Grace

...Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Protector of Emigrants,
TNHB, Ashok Nagar Shopping Complex (Annexe),
Ashok Nagar, Chennai-600 083.
3. The Deputy Superintendent of Police,
District Crime Branch,
Kanyakumari.
4. State by Inspector of Police,
District Crime Branch,
Kanyakumari,
Kanyakumari District.
In Crime No.40 of 2019.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to an order of Transfer of Investigation in respect of Crime No.40 of 2019 on the file of 3rd respondent police to some other unbiased Officers under the supervision of 1st respondent to conduct investigation afresh as per the written complaint, dated 17.03.2020 in accordance with law.

For Petitioner : M/s.S.Suresh Kumar
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petition has been filed for transfer of investigation in Crime No.40 of 2019 from the file of the third respondent to any other investigation agency.

2.Admittedly, the petitioner is an accused in the FIR registered in crime No.40 of 2019 for the offences under Section 420 of IPC. It is pending for investigation on the file of the third respondent.

3.In view of the above, the accused cannot choose the investigation agency in accordance with the accused person's whims



and fancies. Therefore, the prayer sought for in this criminal original petition is devoid merits and the same is dismissed. However, the fourth 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 the order.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Protector of Emigrants,
TNHB, Ashok Nagar Shopping Complex (Annexe),
Ashok Nagar, Chennai-600 083.
3. The Deputy Superintendent of Police,
District Crime Branch,
Kanyakumari.
4. The District Crime Branch,
Kanyakumari, Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SURESH KUMAR, Advocate (SR-10945[F] dated 09/03/2022)

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