



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.5708 of 2021

Sabarinathan

...Petitioner

Vs.

1.The Superintendent of Police,
Crime Branch CID,
No.3, SIDCO Electronic Complex,
I Floor, Guindy,
Chennai-600 032.

2. The Deputy of Superintendent of Police,
CBCID, No.2, Kajamiyan Street,
Mannarpuram, Opposite to BSNL,
TVS Toll Gate, Trichy-620 020.

3. The Inspector of Police,
CBCID, Trichy.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to conduct enquiry on the petitioner's representation dated 04.02.2021.

For Petitioner : Mr.M.Sankar

For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the first respondent to conduct enquiry on the petitioner's representation, dated 04.02.2021.

2.The petitioner submitted a representation, dated 04.02.2021, for transfer of investigation in respect of the Crime No.501 of 2020 from the file of the Inspector of Police, Cantonment Police Station, Trichy, to the file of the third respondent herein.



3.The learned Additional Public Prosecutor appearing for the respondents stated that the petitioner is an accused and based on the complaint, a case has been registered in Crime No.475 of 2020, on the file of the Inspector of Police, Uraiyur Police Station and it is pending for investigation. Further, another case has been registered as against the petitioner in Crime No.501 of 2020, on the file of the Inspector of Police, Cantonment Police Station, Trichy and it is also pending for investigation.

4.In view of the above, the accused cannot choose the investigation agency and he has no locus to seek change of investigation. Therefore, the representation of the petitioner cannot be considered.

5.Accordingly, the Writ Petition is devoid of Merits and the same is dismissed. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

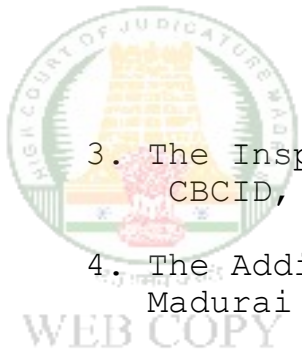
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant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

To

1.The Superintendent of Police,
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2. The Deputy of Superintendent of Police,
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3. The Inspector of Police,
CBCID, Trichy.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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TR(10.03.2022) 3P 5C