



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.04.2022
CORAM
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P(MD)No.13289 of 2021

C.Boominathan

... Petitioner

Vs.

- 1.The Commissioner of Police,
Madurai City Police,
Alagar Kovil Main Road,
Madurai - 625 002.
- 2.The Assistant Commissioner of Police,
Anna Nagar Police Station,
Madurai - 625 020.
- 3.The Inspector of Police (Crime),
Anna Nagar Police Station,
Madurai - 625 020.
- 4.The Sub Inspector of Police (Crime),
Anna Nagar Police Station,
Madurai - 625 020.
- 5.A.Periyasamy
- 6.The Inspector of Police,
C.B.C.I.D.,
No.83, 3rd Cross Street,
Krishnapuram Colony,
Madurai - 625 014.

...Respondents 1 to 6

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to order for transferring the enquiry according to Cr.P.C. concerning the petitioner's complaint petition dated 28.08.2021 from the file of the 3rd respondent police to the 6th respondent police CBCID, Madurai District for further action according to law.

For Petitioner : Mr.T.K.Gopalan

For R1-R4 & R6 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R5 : Mr.N.Karthik Kanna



ORDER

This Criminal Original Petition has been filed to transfer the complaint dated 28.08.2021 from the file of the third respondent police to the file of the 6th respondent police CBCID, Madurai District.

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2.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that on receipt of the complaint lodged by the petitioner, the second respondent has conducted detailed enquiry and closed the same as early as on 23.11.2021 itself. That apart, the transfer of complaint will arise only after registration of FIR and the investigation can be transferred one Investigation Agency to another Investigation Agency thereafter.

3.Therefore, the Criminal Original Petition is devoid of merits and stands dismissed. However no complaint is pending on the file of the second respondent for enquiry since already enquiry conducted and the same was closed. That apart there is a suit pending between the parties. Therefore, the petitioner is at liberty to lodge a private complaint in the manner known to law. That apart there is a suit pending between the parties.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To

- 1.The Commissioner of Police,
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Madurai - 625 002.
- 2.The Assistant Commissioner of Police,
Anna Nagar Police Station,
Madurai - 625 020.
- 3.The Inspector of Police (Crime),
Anna Nagar Police Station,
Madurai - 625 020.
- 4.The Sub Inspector of Police (Crime),
Anna Nagar Police Station,
Madurai - 625 020.



6.The Inspector of Police,
C.B.C.I.D., No.83, 3rd Cross Street,
Krishnapuram Colony,
Madurai - 625 014.

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

+1 CC to M/s.N. KARTHIK KANNA, Advocate (SR-19443[F] dated
19/04/2022)

+1 CC to M/s.T.K. GOPALAN, Advocate (SR-19839[F] dated 20/04/2022)
Crl.O.P(MD)No.13289 of 2021
18.04.2022

MGJ(23.05.2022) 3P 10C