



CrI.O.P.(MD) No.15351 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

CrI.O.P.(MD) Nos.15341 and 15351 of 2022

and

CrI.M.P.(MD) Nos. 10062 and 10075 of 2022

For CrI.O.P.(MD)No.15341 of 2022

M.Dinesh,

: Petitioner

Vs

1. The State represented by
The Superintendent of Police,
Theni District, Theni

2. The Inspector of Police,
CCD-III Police Station,
Theni, Theni District

3. The Inspector of Police,
CBCID Theni District,
Theni

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying
this Court to transfer the investigation in Crime No.25/2022 dated 17.06.2022
on the file of the second respondent, to the file of the third respondent or to



CrI.O.P.(MD) No.15351 of 2022

any other competent Investigation Agency on the basis of the petitioner's
representation dated 25.07.2022.

For CrI.O.P.(MD)No.15351 of 2022

M.Dinesh,

: Petitioner

Vs

1. The State represented by
The Superintendent of Police,
Theni District, Theni

2. The Inspector of Police,
CCD-III Police Station,
Theni, Theni District

3. The Inspector of Police,
CBCID Theni District,
Theni

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying
this Court to transfer the investigation in Crime No.30/2022 dated 18.07.2022
on the file of the second respondent, to the file of the third respondent or to
any other competent Investigation Agency on the basis of the petitioner's
representation dated 25.07.2022.



WEB COPY



Crl.O.P.(MD) No.15351 of 2022

For Petitioner : Mr. Shankar Ganesh.R,
For Respondents : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

COMMON ORDER

This criminal original petition has been filed seeking a direction to transfer the investigation in Crime Nos.25 and 30 of 2022, from the file of the second respondent, to the file of the third respondent or to any other competent Investigation Agency on the basis of the petitioner's representation dated 25.07.2022.

2.The learned Counsel appearing for the petitioner submitted that repeatedly, the respondent police registered a case against the petitioner and seized his mobile phone. Again, the respondent police registered a case and seeking to produce his mobile phone. Hence these petitions have been filed.

3.The learned Government Advocate (Crl.Side) submitted that the petitioner is an accused person in Crime Nos.25 and 30 of 2022. Both the cases are under investigation.

4.I have considered the matter in the light of the submissions made by



Crl.O.P.(MD) No.15351 of 2022

the Counsels appearing for the parties.

WEB COPY

5.On a perusal of records, the fact reveals that it is not disputed that the petitioner is the accused person in Crime Nos.25 and 30 of 2022, which are under investigation.

6.In view of the above, this Court is of the opinion that an accused person has no right to choose the investigation officer. Therefore, these criminal original petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

26.08.2022

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
lr



Crl.O.P.(MD) No.15351 of 2022

To

1. The Superintendent of Police,
Theni District, Theni
2. The Inspector of Police,
CCD-III Police Station,
Theni, Theni District
3. The Inspector of Police,
CBCID Theni District,
Theni
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.15351 of 2022

V.SIVAGNANAM, J.

lr

Crl.O.P.(MD) No. 15341 and 15351 of 2022

26.08.2022