



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.20927 of 2021

Govindaraj

... Petitioner/
Defacto Complainant

Vs

1.The State rep. by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Cr.No.91 of 2021)

... 1st Respondent/Complainant

2.The Superintendent of Police,
Thanjavur District.

3.The Deputy Superintendent of Police,
CBCID-Thanjavur,
Thanjavur District.

... Respondents 2 & 3/3rd Parties

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to withdraw the case file from the first respondent which is pending in Crime No.91 of 2021, dated 06.02.2021 and to transfer the same to the third respondent or any other investigation agency.

For Petitioner : Mr.K.Vinayagam
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

2. This Criminal Original Petition has been filed seeking transfer of investigation in Crime No.91 of 2021 registered on the file of the Orathanadu Police Station.

3. The petitioner's son had committed suicide. The petitioner has named certain persons as having abetted commission of the said suicide. Since according to the petitioner, the first respondent is not taking proper action, he wants transfer of investigation to CBCID.

4. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that as early as on 27.04.2021 the first respondent has filed the final report dropping



further action in the matter. If that be so, the jurisdictional Magistrate is directed to send RCS notice to the petitioner immediately and without any delay. The petitioner will be entitled to file his protest petition. Such a protest petition will be disposed of on merits and in accordance with law by the jurisdictional Magistrate within a period of three weeks thereafter. The first respondent is also directed to serve a copy of the final report on the petitioner.

5. With this direction to the first respondent as well as the court below, this Criminal Original Petition is disposed of. All the contentions of the petitioner are left open.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi

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 Chief Judicial Magistrate, Thanjavur.
- 2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
- 3.The Superintendent of Police,
Thanjavur District.
- 4.The Deputy Superintendent of Police,
CBCID-Thanjavur, Thanjavur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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nsn(CO)
TR(31.01.2022) 2P 6C