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Crl.O.P.No.1124 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1124 of 2023

A.Periyasamy

...Petitioner

Vs.

1. The Superintendent of Police,
Perambalur District,
PIN - 621 212.
2. The Deputy Superintendent of Police,
Perambalur District,
PIN - 621 115.
3. The Inspector of Police,
Kunnam Police Station,
Perambalur District,
PIN - 621 708.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st respondent to transfer investigation of Crime No.181 of 2022 on the file of the Kunnam Police Station from 2nd respondent to some other officer not below the rank of DSP.

For Petitioner : Mr.C.Prabhu

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal side)



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ORDER

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This Criminal Original Petition has been filed for directing the 1st respondent to transfer investigation of Crime No.181 of 2022 on the file of the Kunnam Police Station from 2nd respondent to some other officer not below the rank of DSP.

2. When the matter is taken up, learned Government Advocate (Criminal side) submitted that, investigation in this case is completed and final report was filed on 06.09.2022. However, the same has not been taken on file by the Special court for SC/ST Court, Perambalur.

3. This Court finds from the submission of the learned Government Advocate (Criminal side) that final report in this case was filed before the Special court for SC/ST Court, Perambalur on 06.09.2022. If final report had been filed on 06.09.2022, not taking cognizance on the basis of the final report is not correct.

4. Therefore, learned Special Judge, Special court for SC/ST Court, Perambalur is directed to look into this matter personally and take appropriate action for not taking cognizance of this case, on the basis of the final report



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filed and also directed to send a report in that regard to this Court.

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5. In view of the filing of the final report, the prayer for transfer of investigation cannot be entertained. Accordingly, this Criminal Original Petition is dismissed with the aforesaid directions.

20.01.2023

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To:

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1. The Special Judge,
Special court for SC/ST Court,
Perambalur
2. The Superintendent of Police,
Perambalur District,
PIN - 621 212.
3. The Deputy Superintendent of Police,
Perambalur District,
PIN - 621 115.
4. The Inspector of Police,
Kunnam Police Station,
Perambalur District,
PIN - 621 708.
5. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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