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Crl.O.P.No.4667 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.4667 of 2023
and Crl.M.P.No.3995 of 2023

S.Atchaya

... Petitioner

Vs.

1.The Deputy Commissioner of Police,
Law and Order, Washermenpet Range,
No.62, Basin Bridge Road,
Old Washermenpet, Chennai – 600 021.

2.The Inspector of Police,
(L & O), N1 Police Station,
Royapuram, Chennai – 600 013.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st respondent to withdraw and transfer the complaint pending in Crime No.11 of 2023 on the file 2nd respondent to some other investigation officer to investigate the same and file final report.

For Petitioner : Mr.R.Narendren

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the 1st



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respondent to withdraw and transfer the complaint pending in Crime No.11 of 2023 on the file 2nd respondent to some other investigation officer to investigate the same and file final report.

2.It is the submission of the learned counsel for the petitioner that respondent Police has not properly investigated the case in Crime No.11 of 2023, they are biased and therefore investigation has to be transferred to some other Investigation Officer with a direction to file final report.

3.The learned Government Advocate (Criminal side) submitted that investigation in this case is pending and final report would be filed soon. One of the accused namely Devaraj filed Crl.M.P.No.3995 of 2023 for impleading proposed respondents as 3 to 6 in Crl.O.P.No.4667 of 2023.

4.Considered the rival submissions and perused the records.

5.From the First Information Report allegations, it is made known that there is a property dispute between the father of defacto-complainant Shivakumar and his brothers Devaraj and Tiruneelagandan. On 04.01.2023 at about 23.00 hours Vatchala, Devaraj, Raja and Vennila had made a threat that



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defacto-complainant should be burnt, dropped in the sea with stone attached to her and made death threat. On these allegations, First Information Report came to be registered for the offence under Section 323 and 506 (1) I.P.C by Royapuram Police Station.

6.In the light of the allegations made in the First Information Report, this Court directs the second respondent to complete the investigation within a period of four weeks from the date of receipt of copy of this order and file final report.

7.In view of this order passed, it is not necessary to implead the proposed parties and therefore, the impleading petition filed in Crl.M.P.No.3995 of 2023 is dismissed. In fine, this Court is of the view that it is not necessary to transfer the investigation to some other Police Officer. It is enough that direction is given to second respondent to complete the investigation and file final report within a period of four weeks from the date of receipt of copy of this order.

8.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is dismissed.



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Internet: Yes
Index: Yes/No
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To:

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G.CHANDRASEKHARAN, J.
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