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Crl.O.P.Nos.3812 & 3813 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM:

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

Crl.O.P.Nos.3812 and 3813 of 2023

Suriyan

... Petitioner in both Crl.O.Ps

Vs.

1.The Superintendent of Police,
Salem District,
Salem.

2.The Inspector of Police,
Thammampatti Police Station,
Salem District.

... Respondents in both Crl.O.Ps

Common Prayer: Criminal Original Petitions filed under Section 482 Cr.P.C. praying to direct the 1st respondent to transfer the investigation of the cases in Crime Nos.15 of 2023 and 257 of 2022 on the file of the 2nd respondent police to Crime Branch Crime Investigation Department or any other police officer in the rank of Deputy Superintendent of Police or any other agency.

For Petitioner : Ms.S.Vinodha
(in both Crl.O.Ps)

For Respondents : Mr.S.Santhosh
(in both Crl.O.Ps) Government Advocate (Crl.Side)



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COMMON ORDER

These Criminal Original Petition have been filed to direct the first respondent to transfer the investigation of the cases in Crime Nos.15 of 2023 and 257 of 2022 on the file of the second respondent police to Crime Branch Crime Investigation Department or any other police officer in the rank of Deputy Superintendent of Police or any other agency.

2.The learned counsel for the petitioner submitted that the petitioner is the *de-facto* complainant in Crime No.257 of 2022 registered for the offences under Section 147, 341, 294(b), 323, 506(ii) by the Thammampatti Police Station and he is one of the accused in Crime No.15 of 2023 registered for the offences under Section 294(b), 324, 323, 355, 506(ii) and 307 of IPC by the Thammampatti Police Station. So far, the respondent police has not arrested the accused in Crime No.257 of 2022. No proper investigation in these cases are conducted and therefore, the petitioner filed these petitions before this Court for transfer of investigation to some other police officer or department.



3.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the accused in Crime No.257 of 2022 are absconding and the police are taking efforts to arrest them. In Crime No.15 of 2023, one of the accused was arrested and the police is taking steps to arrest the other accused. He also submitted that the petitioner is a named accused in Crime No.15 of 2023.

4.In the light of the submissions made by the learned Government Advocate (Crl.Side), this Court is of the view that the respondent police is taking appropriate steps for investigating the cases and arresting the accused. Both the cases were registered relatively in the recent past i.e., in December 2022 and in January 2023. The respondent police has to take effective steps in completion of investigation and to file final report.

5.In view of the matter, this Court is of the view that it is not necessary to order transfer of investigation of the cases in Crime Nos.15 of 2023 and 257 of 2022 on the file of the second respondent police to Crime Branch Crime Investigation Department or any other police officer in the rank of Deputy Superintendent of Police or any other agency.



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G.CHANDRASEKHARAN, J.

sp

6.Accordingly, these criminal original petitions are dismissed.

21.02.2023

Index:Yes \ No

Speaking order \ Non-speaking order

Neutral Citation Case : Yes \ No

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To

1.The Superintendent of Police,
Salem District,
Salem.

2.The Inspector of Police,
Thammampatti Police Station,
Salem District.

3.The Public Prosecutor,
Madras High Court.

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