



Crl.O.P.No.9886 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.9886 of 2023 and
Crl.M.P.No.6719 of 2023

Krishnaveni

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
Somangalam Police Station,
Kancheepuram District.
Cr.No.28/2022

... Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Cr.No.28/2022 pending before Somangalam Police Station, Kancheepuram District to CBCID or any other competent authority on fresh FIR within stipulated time.

For Petitioner : Mr.S.N.Subramani

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

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Cr.No.28 of 2022 pending before Somangalam Police



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Station, Kancheepuram District to CBCID or any other competent authority on fresh FIR within stipulated time.

2.The learned counsel for the petitioner would submit that after registration of the FIR on the complaint lodged by the petitioner in Crime No.28 of 2022, the respondent Police received an another complaint from the counter party. Now the respondent Police have conducted the investigation in Crime No.29 of 2022 and filed the charge sheet in C.C.No.250 of 2022 before the learned Judicial Magistrate, Sriperumbudur. He would further submit that the respondent Police has failed to file the final report in Crime No.28 of 2022. Therefore, the petitioner has sought for transfer of investigation in Crime No.28 of 2022.

3.The learned Government Advocate (crl.side) would submit that the investigation has been completed in Crime No.28 of 2022 and filed the final report before the Judicial Magistrate, Sriperumbudur. Therefore, transfer of investigation in Crime No.28 of 2022 does not arise.



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4.Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side, the prayer sought for in this petition cannot be considered. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. However, the trial Court concerned is directed to conduct simultaneous trial in both the cases in crime Nos.28 and 29 of 2022.

05.05.2023

Internet:Yes

Index:Yes/No

Speaking/Non speaking order

vkx

To

1.The Inspector of Police,
Somangalam Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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