



Crl.O.P.No.13078 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM

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

Crl.O.P.No.13078 of 2023

P.Prabhu

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District,
Tamil Nadu-602 001.
2. The Deputy Superintendent of Police,
Gummidipoondi Taluk,
Thiruvallur District-601 201.
3. The Inspector of Police,
F1 Gummidipoondi Police Station,
Gummidipoondi Taluk,
Tiruvallur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police to transfer the investigation in Crime No.178 of 2023 pending on the file of third respondent to any other investigation agency and to file the final report in a specified time.

For Petitioner : Mr.S.Gowsik Sundar
For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed directing the respondent police to transfer the investigation in Crime No.178 of 2023 pending on the file of third respondent to any other investigation agency and to file the final report in a specified time.

2. It is the submission of the learned counsel for the petitioner that the petitioner's brother one P.Silambaran was missing from 10.05.2023. Therefore, on the basis of the complaint given by the petitioner, FIR in Crime No.178 of 2023 was registered under the caption “Man Missing”. There is no proper investigation conducted by the respondents, necessitating filing of this petition.

3. In response, the learned Government Advocate (Crl.Side) submitted that the petitioner's brother one P.Silambaran had jumped into the river under the influence of alcohol and died. In this connection, FIR in Crime No.94 of 2023 was registered by Naidupet Police Station, Thirupathi District under Section 174 Cr.P.C. Postmortem was conducted on the body of the deceased P.Silambaran. Naidupet Police Station is waiting for the receipt of postmortem report.



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4. In the light of the registration of FIR in Crime No.94 of 2023 by Naidupet Police Station, Thirupathi District, under Section 174 Cr.P.C and also pendency of this present FIR under the caption “Man Missing, this Court is of the view that there is no need for transfer of this case to any other investigating agency. On the basis of the final report filed in Crime No.94 of 2023 by Naidupet Police Station, Thirupathi District, the investigation in the present case can be proceeded and final report can be filed.

5. In this view of the matter, this Criminal Original Petition is dismissed.

14.06.2023

Index:Yes/No
Speaking/Non speaking order
mn



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G.CHANDRASEKHARAN.J.,

mn

To

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District,
Tamil Nadu-602 001.
2. The Deputy Superintendent of Police,
Gummidipoondi Taluk,
Thiruvallur District-601 201.
3. The Inspector of Police,
F1 Gummidipoondi Police Station,
Gummidipoondi Taluk,
Tiruvallur District.
4. The Inspector of Police,
Naidupet Police Station,
Thirupathi District.
5. The Public Prosecutor,
High Court of Madras.

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