



CrI.M.P.No.8481 of 2023

in

H.C.P.No.2396 of 2022

and

H.C.P.No.2396 of 2022

M.SUNDAR, J.,

and

R.SAKTHIVEL, J.,

[Order of the Court was made by M.SUNDAR. J]

This order has to be read in conjunction with and in continuation of earlier proceedings made in all previous listings in the captioned main 'Habeas Corpus Petition' ['HCP' for the sake of brevity, convenience and clarity].

2. Prayer in the captioned 'Criminal Miscellaneous Petition' ['CrI.M.P' for the sake of convenience and clarity] is for impleading 'Central Bureau of Investigation' ['CBI' for the sake of brevity] represented by its Joint Director as 7th respondent in the captioned HCP.

3. The earlier proceedings made in the previous listings in the main HCP capture all essentials that are imperative for appreciating this order. Considering that the first listing of the captioned HCP was on 24.11.2022 and C.S.R.No.630 of 2022 is pertaining to an alleged occurrence on 13.11.2022, we deem it appropriate to say that 'Crime Branch Criminal



Investigation Department' ['CBCID'], would now investigate the matter and carry it to its logical end.

4. Before we write the operative portion of the order, the following points are made clear:

i) This order shall not be seen as any reflection on quality of investigation or the nature of investigation that has been carried out by the Tamil Nadu State Police and more particularly Respondents 1 and 2 in captioned HCP;

ii) The investigation being shifted to CBCID is solely owing to the reason that we are informed that CBCID does not have law and order duties and would therefore be able to devote whole time attention for the investigation.

5. After making the aforementioned points clear, we make the following order:

i) The Additional Director General of Police, CBCID, No.3, Sidco Electronics Complex, I Floor, Guindy, Chennai – 32 is impleaded as 7th respondent in the main HCP [H.C.P.No.2396 of 2022];

ii) We deem it appropriate to implead Inspector General of



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Police, CBCID (Crime), Egmore, Chennai – 600 008 and Superintendent of Police (CBCID), North Zone, Egmore, Chennai – 600 008 as Respondents 8 and 9. Mr.E.Raj Thilak, learned State Additional Public Prosecutor accepts notice for newly impleaded respondents 7 to 9. The investigating officer now shall be Superintendent of Police (CBCID), North Zone [9th respondent] and the same shall be monitored by Inspector General of Police, CBCID (Crime) [8th respondent];

iii) Respondents 1 and 2 shall now handover all case files to the 9th respondent, who will now be the investigating officer;

iv) We request the first respondent to brief the 9th respondent about the investigation done thus far;

v) In the days to come if the 9th respondent requires any further assistance, the same shall obviously be extended by Respondents 1, 2 or anyone else in jurisdictional police;

vi) We deem it appropriate to requisition a report from 8th respondent i.e., Inspector General of Police, CBCID (Crime) by next listing which shall be four weeks hence i.e., 03.10.2023 under the cause list caption 'FOR REPORT';



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vii) We make it clear that request for transfer to CBI or any other agency is a right which will stand preserved as we are transferring to CBCID though the prayer is for transfer to CBI.

5. Captioned Crl.MP disposed of in the aforesaid manner. Registry to carry out necessary and consequential amendments in the main HCP before issuing copy of this order.

List main HCP on 03.10.2023.

[M.S., J]

[R.S.V., J]

05.09.2023

gpa



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and
R.SAKTHIVEL, J.,

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