



WEB COPY



W.P.Nos.22847 and 22893 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.08.2023

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.Nos.22847 and 22893 of 2023
and
W.M.P.Nos.22321 and 22375 of 2023

K.V.S. Prasad
G.Muthukrishnan

.. Petitioner in W.P.No.22847/2023
.. Petitioner in W.P.No.22893/2023

Vs.

1.The Senior Inspector of Police,
Srinagar Police Station,
Thane West,
Maharashtra State – 400 604.

2.M/s.Hella Infra Market Pvt. Ltd.,
Plot No.C-1,
S.G. Barve Road, Wagle Estate,
Thane (West),
Maharashtra – 400 604.

.. Respondents in both W.Ps.

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus (i) to direct the transfer of investigation being conducted by the Senior Inspector of Police, Shri Nagar Police Station, Thane (West), Maharashtra State to any of the investigating agencies of Tamil Nadu Police and (ii) to prohibit the Senior Inspector of Police, Shri Nagar Police Station, Thane (West), Maharashtra State from taking any further step in respect of the complaint lodged by M/s.Hella Infra Market Pvt. Ltd., Mumbai.



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For Petitioner : Mr.K.Rangesh
in both O.Ps.

For Respondent-1 : Mr.A.Damodaran
in both O.Ps. Additional Public Prosecutor

COMMON ORDER

These writ petitions have been filed seeking for transfer of investigation conducted by the first respondent to any other investigation agency at Tamil Nadu.

2. Heard the learned counsel for the petitioners and carefully went through the materials placed before this Court.

3. It is brought to the notice of this Court that enquiry is only at the stage of complaint and there is nothing to show that any F.I.R. has been registered. In view of the same, there is no question of transferring the investigation, when Chapter XII of the Code of Criminal Procedure has not been resorted to by registering F.I.R. under Section 154 of Cr.P.C.



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4. In view of the above, liberty is granted to the petitioners to challenge the F.I.R., if it is registered and at that stage of the case, this Court will go into the contentions raised by the petitioners and take a decision. Except giving this clarity, no further orders can be passed in these writ petitions.

5. These Writ Petitions are disposed of with the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

16.08.2023

Index :Yes/No
Internet:Yes/No
Speaking/Non speaking order
rsi

To

The Senior Inspector of Police,
Srinagar Police Station,
Thane West,
Maharashtra State – 400 604.



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N. ANAND VENKATESH, J.

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