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Crl.O.P.No.23535 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.06.2023

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.23535 of 2022

Suganthi

... Petitioner/De-facto complainant

Versus

1. Director General of Police,
O/o Director General of Police,
Mylapore,
Chennai – 04.
2. The Superintendent of Police,
Cuddalore District,
Cuddalore.
3. The Assistant Superintendent of Police,
Virudhachalam Sub Division,
Cuddalore District.
4. The Inspector of Police,
Pennadam Police Station,
Cuddalore District.
5. The Sub Inspector of Police,
Pennadam Police Station,
Cuddalore District.
Crime No.522 of 2022.



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6.The Additional Director General of Police,
Criminal Investigation Department (CBCID),
Guindy, Chennai – 17. ... Respondents/Complainant

PRAYER : Criminal Original petition filed under Section 482 Cr.P.C. praying to direct the respondents 2 to 5, to withdraw the case in Crime No.522/2022 (pending on the file of respondents 2 to 5) and entrust the same to 6th respondent independent agency like CBCID to conduct further investigation into the matter in accordance with law.

For Petitioner : Mr.J.Jayasuriya

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner/de-facto complainant in Crime No.522 of 2022 has filed this petition seeking transfer of investigation to CBCID for the reason that no worthwhile investigation has been done in this case and the accused in this case were allowed to go smartfully.

2. Learned Additional Public Prosecutor opposing the petitioner's allegation and submitted that on the complaint of the petitioner a case in



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Crime No.522 of 2022 has been registered and a counter case against the petitioner in Crime No.523 of 2022 has been registered. In both the cases investigation completed, for Crime No.522 of 2022, C.C.No.70 of 2023 assigned and for Crime No.523 of 2022, C.C.No.84 of 2023 assigned. Both the cases are now pending trial before the learned Judicial Magistrate, Thittakudi.

3. Considering the above submission and on a perusal of the material it is seen that the prayer sought for by the petitioner has now become infructuous. The investigation in Crime No.522 of 2022 has culminated in C.C.No.70 of 2023 and the counter case in Crime No.523 of 2022 has culminated in C.C.No.84 of 2023. Both the cases are pending trial before the learned Judicial Magistrate, Thittakudi. The learned Judicial Magistrate, Thittakudi is directed to conduct trial in both cases simultaneously but separately and dispose of the cases without delay, preferably within a period of six months from the date of receipt of a copy of this order.



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With the above directions, this Criminal Original Petition is disposed of.

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

To

1. Director General of Police,
O/o Director General of Police,
Mylapore,
Chennai – 04.
2. The Superintendent of Police,
Cuddalore District,
Cuddalore.
3. The Assistant Superintendent of Police,
Virudhachalam Sub Division,
Cuddalore District.



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4.The Inspector of Police,
Pennadam Police Station,
Cuddalore District.

5.The Sub Inspector of Police,
Pennadam Police Station,
Cuddalore District.

6.The Additional Director General of Police,
Criminal Investigation Department (CBCID),
Guindy, Chennai – 17.

7.The Judicial Magistrate,
Thittakudi.

8.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

rsi

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