



Crl.O.P.No.30926 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.30926 of 2022

Dr.S.Raja

.. Petitioner

Versus

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
T.Nagar,
Chennai.
3. The Inspector of Police (L&O),
R1-Mambalam Police Station,
T.Nagar, Chennai.
4. The Sub-Inspector of Police (L&O),
R1-Mambalam Police Station,
T.Nagar, Chennai.

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order to transferring the investigation in Crime No.190 of 2022 from 4th respondent / Sub-Inspector of Police, F-5 Mambalam Police Station, Chennai to CBI or CB-CID and for further



Crl.O.P.No.30926 of 2022

investigation to constitute a Special Investigation Team and to file the final report before the competent Court within the time stipulated by this Court.

For Petitioner : Mr.K.V.Muthu Visakan

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking for transfer of investigation in Crime No.190 of 2022 pending on the file of the fourth respondent to any other investigation agency.

2. When the matter came up for hearing on 18.07.2023, this Court passed the following order:-

"A status report has been filed by the third respondent and a copy of the same has also been furnished to the learned counsel for the petitioner.

2. Learned Government Advocate (Crl. Side) submitted that investigation is almost complete and the final report will be filed at any time.

3. Considering the facts and circumstances of the case, there shall be a direction to the third respondent to furnish the copy of the final report along with all relevant documents / CD file during the next date of hearing.

4. Post this case under the same caption on 02.08.2023."



Crl.O.P.No.30926 of 2022

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3. When the matter is taken up for hearing today, the draft Final Report and also the Case Diary was submitted to the Court. This Court carefully went through the same. It is seen that based on the materials gathered during the investigation, a Closure Report is going to be filed before the Court below as action dropped.

4. Heard Mr.K.V.Muthu Visakan, learned Counsel for the petitioner and Mr.A.Gopinath, learned Government Advocate (Crl. Side) for the respondents.

5. In the considered view of this Court, there is no scope for transferring the investigation at this stage since this Court does not find any apparent illegality in the manner in which the investigation was conducted. In view of the same, there shall be a direction to the fourth respondent to file the Final Report before the concerned Court within a period of four weeks from the date of receipt of a copy of this order. Since the father of the deceased boy is not satisfied with the investigation, it is left open to the fourth respondent to issue a R.C.S notice to the father / petitioner. On



Crl.O.P.No.30926 of 2022

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receipt of the same, the petitioner can work out his remedy in the manner known to law.

6. This Criminal Original Petition is disposed off with the above direction.

02.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
T.Nagar,
Chennai.
3. The Inspector of Police (L&O),
R1-Mambalam Police Station,
T.Nagar, Chennai.
4. The Sub-Inspector of Police (L&O),
R1-Mambalam Police Station,
T.Nagar, Chennai.
5. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.30926 of 2022



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Crl.O.P.No.30926 of 2022

N.ANAND VENKATESH, J.

grs

Crl.O.P.No.30926 of 2022

02.08.2023