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Crl.O.P.No.28405 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.28405 of 2023

Mrs. Dhanalakshmi

... Petitioner

Vs.

1. The State

Represented by Inspector of Police
T-14, Pallikarani Police Station.
Chennai. (Cr.No.610 of 2023)

2. The State represented by
Inspector of Police, CBCID,
Egmore, Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to transfer the investigation of Cr.No.610 of 2023 pending on the file of first respondent T-14 Pallikarannai Police to the file of second respondent and direct them to conduct property investigation and pass orders.

For Petitioner : M/s. M. Mohammed Rafi

For R1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



ORDER

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This petition is filed to transfer the investigation. The defcto complainant apprehends that the investigation is lopsided, since there are two F.I.Rs and the named accused have been dropped in the alteration report.

2. The learned Government Advocate stated that initially a case was registered for the offence under Section 294(b), 323,324 and 506(ii) of I.P.C thereafter the same was altered to 307 of I.P.C, and after the death of the victim, it was further altered to 302 of I.P.C. In the Course of the investigation it was found that only one person by name Magesh was involved in the offence and he caused the lethal injury. The other two persons are outsiders and not involved in the crime.

3.Further the learned counsel for the petitioner submitted that the other two named persons were involved in the crime and proper investigation was done in the case.



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4.This Court is of the view, that the reasons stated by the petitioner herein does not warrant transfer of investigation. Since the major portion of the investigation is already over and till filing of the final report, this Court cannot jump to any conclusion about the inclusion or exclusion of the suspected accused. Since, on the face of the record this Court does not find any illegality and lackness on the part of the investigation officer, it is for the petitioner herein to wait till the filing of the final report.

5. Accordingly, this Criminal Original petition is dismissed.

21.12.2023

Index : Yes/No

Neutral Citation : Yes/No

smn

To

The Inspector of Police
T-14, Pallikarani Police Station.
Chennai. (Cr.No.610 of 2023)

2. The Inspector of Police, CBCID,
Egmore, Chennai.

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Dr.G.JAYACHANDRAN,J.

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