



Crl.O.P.(MD)No.2119 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2119 of 2023

S.R.Srinivasa Kannan

... Petitioner

Vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
District Crime Branch,
Kanyakumari District.
(Crime No.36 of 2022)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation of the case in Crime No.36 of 2022 registered on the complaint given by the petitioner on 26.07.2022 on the file of the second respondent police to any other independent investigating agency or officer not below the rank of DSP under the direct supervision of the first respondent within a time period to be fixed by this Court.



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For Petitioner : Mr.N.Dilip Kumar
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to transfer the investigation of the case in Crime No.36 of 2022 registered on the complaint given by the petitioner on 26.07.2022 on the file of the second respondent police to any other independent investigating agency or officer not below the rank of Deputy Superintendent of Police under the direct supervision of the first respondent within a time period to be fixed by this Court.

2. The learned Additional Public Prosecutor appearing for the respondents would submit that after registration of an FIR on 26.07.2022 against two persons in Crime No.36 of 2022 for the offences under Sections 420, 465 and 468 IPC, Section 66C of Information Technology Act 2000 and 63(a) of Copyright Act, 1957, both the accused had approached this Court as well as the Sessions Court and obtained anticipatory bail and that the second respondent, after obtaining order from the Judicial Magistrate, made a search of the house of the accused



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on 28.08.2022 and recovered some of the documents and hard disk and the same were sent to the forensic lab and they are awaiting for the report.

3. Considering the above, the very contention of the petitioner that the respondent police, after receiving the complaint, have not done any single act of the investigation as stated in Para No.17 in the petition, is false and hence, nothing survives for further adjudication.

4. In the result, this Criminal Original Petition stands dismissed.

02.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
District Crime Branch,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.2119 of 2023

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