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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2023

CORAM:

THE HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

CrI.O.P.(MD) No.4442 of 2021

Balan Amstrang

...Petitioner

Vs.

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Inspector of Police,
Siruganur Police Station,
Trichy District.

3.The Inspector of Police,
District Crime Branch,
Trichy District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
to direct the first respondent to transfer the investigation in Crime No.
410 of 2017 from the file of the second respondent to the file of the third
respondent.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.M.Muthumanikkam
Government Advocate (CrI.Side)

**ORDER**

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The petitioner is the defacto complainant and he filed this petition to transfer the investigation in Crime No.410 of 2017 from the file of the second respondent to the file of the third respondent.

2.The second respondent police acted upon the petitioner's complaint filed before the learned Judicial Magistrate, Lalgudi, under Section 156 (3) of Cr.P.C in CrI.MPNo.3071 of 2017 and registered a case in Crime No.410 of 2017 for the offences under Sections 120(B), 418, 420 & 423 of IPC. After registering the case, one of the accused namely, Renganathan (A2) filed an anticipatory bail petition before this Court in CrI.OP(MD)No.17011 of 2017 and the same was ordered by this Court, dated 13.12.2017, with a condition to deposit a sum of Rs.1,50,000/-. The accused failed to deposit the said amount and hence, cancelation of anticipatory bail petition was filed before this Court in CrI.MP(MD)No.1534 of 2018. By the order dated 11.04.2018, this Court has cancelled the anticipatory bail granted by this Court dated 13.12.2017. Even after that, the Investigating Officer has not arrested the accused and hence, the defacto complainant filed this petition under Section 482 of Cr.P.C for transferring the investigation in Crime No.410



of 2017 from the file of the second respondent to the file of the third respondent.

3.The learned Government Advocate (Crl.Side) on instructions from the Investigation Officer, who is present before this Court submitted that after cancellation of anticipatory bail by this Court, A2 was arrested and the investigation was completed. Now, they are going to file final report before the concerned Court within short span of time.

4.Since the Investigation Officer has arrested A2 and completed the investigation, this Court does not find any merit in the prayer of the petitioner and hence, this Criminal Original Petition is dismissed with a direction to the second respondent to file a final report within a period of 15 days from the date of receipt of a copy of this order.

20.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss



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K.K.RAMAKRISHNAN, J.

dss

To

- 1.The Superintendent of Police,
Trichy District, Trichy.
- 2.The Inspector of Police,
Siruganur Police Station,
Trichy District.
- 3.The Inspector of Police,
District Crime Branch,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD) No.4442 of 2021

20.06.2023