



WEB COPY

*Crl.O.P.(MD)No.15303 of 2023*



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

**Crl.O.P.(MD) No.15303 of 2023**  
**and Crl.M.P(MD).No.12136 of 2023**

J.Kennady

... Petitioner

*Vs.*

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

2.The Inspector of Police,  
Vadaseri Police Station,  
Kanyakumari District.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.68 of 2023 on the file of the second respondent Police to some other investigating Agency.

For Petitioner : Mr.KA.Raama Krishnan

For Respondents : Mr.E.Antony Sahaya Prabahar  
Additional Public Prosecutor



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## **ORDER**

This Criminal Original Petition is filed seeking for transfer of investigation in Crime No.68 of 2023 pending on the file of the second respondent Police to some other Investigating Agency.

2. It is submitted by the learned counsel appearing for the petitioner that on a complaint given by the petitioner, a case has been registered in Crime No.68 of 2023 for the offence punishable under Sections 294(b), 341, 506(i) and 379 IPC, basing on the directions given by the learned Magistrate in Cr.M.P.No.3978 of 2023 filed under Section 156(3) Cr.P.C, on 20.04.2023. It is submitted that even though a case has been registered on 27.05.2023, there is no substantial progress and therefore, he sought for transferring the investigation.

3. The learned Additional Public Prosecutor appearing for the official respondent on the other hand submits that the Police have completed almost entire investigation and within a period of four weeks, they would like to file a final report.



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4. Since the substantial part of the investigation is already over, the investigation cannot be transferred from one Police Officer to the other Police Agency. Further except the delay, the petitioner has not made any ground seeking for transfer of investigation.

5. In view of the above, this Criminal Original Petition is disposed of directing the respondents Police to file a final report as expeditiously as possible not later than four weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Index : Yes/No  
Internet : Yes/No  
ssb

**31.08.2023**

To

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

2.The Inspector of Police,  
Vadaseri Police Station,  
Kanyakumari District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**DR.D.NAGARJUN. J.**

ssb

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