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Crl.O.P.No.7979 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.7979 of 2024

Kolanji

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
Crime No.351/2016

3.The Inspector of Police,
CB-CID Police Station,
Cuddalore District.
Respondents

...

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the 1st & 2nd respondents to transfer the investigation in connection with Crime No.351/2016, pending on the file of the 2nd respondent viz Sub Inspector of Police, Ramanatham Police Station, Cuddalore District to 3rd respondent CB-CID to conduct further investigation in the matter in accordance with law.

For Petitioner : No appearance

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER



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This Criminal Original Petition is filed for direction to transfer the investigation in Crime No.351 of 2016 pending on the file of the Sub Inspector of police, Ramanatham Police Station, Cuddalore to CBCID to conduct investigation along with Crime No.65 of 2017.

2. According to the petitioner, this is a case and counter case, hence investigation must be done by the same agency. However from the petition, this Court finds that Crime No.351 of 2016 is in connection with the occurrence took place on 21.12.2016, whereas Crime No.65 of 2017 is related to occurrence on 04.03.2017.

3. In view of the said fact, it cannot be treated as case and case in counter and furthermore, when two different agency is investigating in different incidents. Therefore the question of distinct offence does not arise. This Court does not find any reasons for transfer of investigation. Hence, this Criminal Original Petition is dismissed.

02.04.2024

Index : Yes/No

Neutral Citation : Yes/No

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To



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Cuddalore.

2.The Sub Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
Crime No.351/2016

3.The Inspector of Police,
CB-CID Police Station,
Cuddalore District.

4.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

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