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Crl.O.P.No.16386 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

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

Crl.O.P.No.16386 of 2024

S.Perumal

... Petitioner

Vs.

1.The State Rep.by
The Superintendent of Police,
Ranipet District, Ranipet.

2.The State Rep.by
The Inspector of Police,
Nemili Police Station,
Ranipet District
Respondents

...

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 1st respondent to transfer the investigation in Crime No.76 of 2022 from 2nd respondent to any other agency.

For Petitioner : Mr.G.Somasekar

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

ORDER

The petitioner herein seeks transfer of investigation in Crime No.76 of 2022 from the 2nd respondent to any other agency.



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2. The First Information Report was registered on 13.03.2022

alleging that due to previous enmity, 10 persons ha restrained the defacto complainant while he was returning back to home in his two wheeler, two of them attacked him and snatched 4 sovereign chain. Alleging that his complaint been distorted by the Investigating Officer using the signature in the blank paper. On 12.12.2022, the petitioner herein has given representation to the IG and DIG through registered post. Despite that, till date the Investigating Officer has not completed the investigation and filed final report.

3. Today when the petition for transfer of investigation came up for consideration for consideration, the learned Government Advocate (Crl.Side) states that the investigation was completed on 15.04.2024 and draft final report made ready, but not yet filed before the Judicial Magistrate. If it is so, the representation dated 12.12.2022 to the higher officials not been properly investigated.

4. However, for the reason best known, for more than two years, no investigation has been conducted and final report filed. It clearly indicates that the dereliction of duty by the Investigating Officer



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and his lethargic attitude in discharging his duty. Hence this Court finds that the Investigating Officer cannot be a fit person to investigate the matter. Therefore, the matter has to be transferred to some other Investigating Officer who is competent to discharge the duty in accordance with law. Hence this Criminal Original Petition is allowed. The 1st respondent/the Superintendent of Police, Ranipet District shall entrust the investigation to some other competent police who can investigate the case fairly and properly and file final report.

15.07.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

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

2.The Inspector of Police,
Nemili Police Station,
Ranipet District

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

Dr.G.JAYACHANDRAN,J.

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