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CrI.O.P No.28835 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.28835 of 2023

Dr.Amit Anand Ajgaonkar
S/o.Ramchandra Hari Bhau

... Petitioner

VS.

1.The State represented by
Inspector of Police,
Thazhambur Police Station,
Central Crime Branch,
Tambaram City Police,
Sholinganallur, Chennai - 600 119.

2.The Central Bureau of Investigation,
represented by its Joint Director,
Shastri Bhavan,
Chennai - 600 006.

3.M/s.Eessa Constructions Pvt. Ltd.,
represented by its Director,
Mr.K.V.Sridharan
Having registered office at
7, SS Avenue,
Old Mahabalipuram Road (OMR),
Padur, Chennai - 603 103.

... Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to transfer the investigation in Crime No.119 of 2022 dated 27.04.2022 pending on the file of first respondent to the file of second respondent.

For Petitioner : Mr.Dinesh D Tiwari

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor [R1]

Mr.K.Srinivasan [R2]

ORDER

This Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.119 of 2022 pending on the file of first respondent to any other investigating agency.

2. Heard Mr.Dinesh D Tiwari, learned counsel for petitioner, Mr.A.Damodaran, learned Additional Public Prosecutor, appearing for first respondent and Mr.K.Srinivasan, learned counsel appearing for second respondent.

3. Learned counsel for petitioner submitted that the petitioner, who is an innocent person, has been dragged in this case and made as an



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accused, when actually, it is the petitioner, who is aggrieved by the action taken by the police. In view of the same, learned counsel sought for transfer of investigation.

4. Learned Additional Public Prosecutor, on instructions, submits that the investigation has been completed and the draft final report is also ready in which the petitioner has been made as A1. Learned Additional Public Prosecutor seeks for four (4) weeks time to file the final report in this case.

5. In view of the fact that the investigation has been completed by the first respondent and the draft final report is also ready to be filed before the concerned jurisdictional Court, this Court is not inclined to pass any orders for the present in this petition.

6. The first respondent is directed to file the final report within a period of four (4) weeks before the concerned jurisdictional Magistrate Court. If ultimately, learned Judicial Magistrate is inclined to take cognizance and summon is issued to the petitioner, it will be left open to



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the petitioner to work out his remedy in accordance with law. To that extent, the right of the petitioner is safeguarded.

This Criminal Original Petition is disposed of in the above terms.

02.01.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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To

1.The Inspector of Police,
Thazhambur Police Station,
Central Crime Branch,
Tambaram City Police,
Sholinganallur, Chennai - 600 119.

2.The Public Prosecutor,
High Court of Madras,
Madras.

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