



CRL OP(MD). No.9376 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :01.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9376 of 2024

Suriya

... Petitioner

Vs

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai City.

2. The Inspector of Police,
Melur Police Station,
Madurai District.
(In Crime No.152/2023).

3. Jeyaraj,

4. Ganesan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Respondent No.1 to withdraw the investigation in Crime No.152/2023 from the Respondent No.2 and transfer the investigation in Crime No.152/2023 on the file of the Respondent No.2 to any other investigation agency or any other Superior



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Officer by considering the petitioner's representation dated 02.04.2024.

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For Petitioner : Mr. Nareshprabu A
For R-1 & R-2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking a direction to transfer the investigation in Crime No.152 of 2023 on the file of the 2nd respondent to any other competent officer.

2. The grievance of the petitioner is that though anticipatory bail application filed by the accused was dismissed by this Court in Crl.O.P. (MD)No.13368 of 2023 dated 23.08.2023, the respondent police have not secured the main accused A1 so far.

3. The learned Government Advocate (Crl. Side) submits that the case was registered on 14.03.2023 for the offence under Sections 406 and



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420 of IPC and they have examined four witnesses so far. Though anticipatory bail application was dismissed as against A1, he is not available and therefore, the respondent police could not secure him. Further, the learned Government Advocate (crl. Side) seeks one month time to complete the investigation and to file a final report.

4. This Court considered the rival submissions made.

5. The case was registered on 14.03.2024. Even now the respondent police has not conducted the investigation. It is not proper on the part of the Investigation Agency to keep the matter pending for more than one year. In the event, if the case is transferred to some other Investigation Agency, it may delay the further process of the investigation. Therefore, the respondent police are directed to conduct the investigation in a proper and fair manner and to file a final report within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above said direction, this Criminal Original Petition is disposed of.

01.07.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes
jbr

To

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai City.

2. The Inspector of Police,
Melur Police Station,
Madurai District.

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

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B.PUGALENDHI,J

jbr

Order made in
CrI.O.P.(MD)No.9376 of 2024

01.07.2024