



Crl.O.P.No.10710 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10710 of 2025
and Crl.M.P.No.7148 and 7161 of 2025

M.Govindasamy

... Petitioner

Vs

1. The Superintendent of Police,
Tiruvallur District,
at Tiruvallur.
2. The Inspector of Police,
Mappedu Police Station,
Tiruvallur District.
3. The Inspector of Police,
Central Bureau of Investigation,
(Office of the Joint Director South CBI),
College, Nearby Indian Overseas Bank,
Subba Road Avenue, Thousand Lights,
Chennai - 600 006.

4. Siva

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to call for the records with regard to the final report filed in PRC.No.04/2025 pending on the file of learned Judicial Magistrate No.II, Tiruvallur and set aside the same and consequently transfer the investigation in Cr.No.144 of 2024 from the



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second respondent Police to third respondent for further investigation and to file the final report afresh.

For Petitioner : Mr.B.Sundarapandiyan
For R1 to R3 : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed challenging the final report pending in PRC.No.04/2025 pending on the file of learned Judicial Magistrate No.II, Tiruvallur.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents 1 to 3 and perused the materials placed on record.

3. The petitioner is an accused in Crime No.144 of 2024 registered for the offence punishable under Section 302 of IPC. After completion of investigation, the second respondent filed a final report and it is pending in PRC.No.04/2025, on the file of learned Judicial Magistrate No.II, Tiruvallur. The petitioner, being an accused sought for transfer of investigation by setting aside the final report filed by the second respondent, on the ground that the petitioner has been falsely implicated in the case.



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4. It is seen that after completion of investigation, the second respondent filed a final report, which is now pending for committal. At this stage, the request of transfer of investigation is not maintainable, particularly when it is made by the accused. It is a settled position of law that the accused has no right to interfere during the course of investigation.

5. Therefore, this Court finds no merits to set aside the final report filed by the second respondent. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous petitions are closed.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Judicial Magistrate No.II, Tiruvallur.
2. The Superintendent of Police,
Tiruvallur District,
at Tiruvallur.
3. The Inspector of Police,
Mappedu Police Station,
Tiruvallur District.
4. The Inspector of Police,
Central Bureau of Investigation,
(Office of the Joint Director South CBI),
College, Nearby Indian Overseas Bank,
Subba Road Avenue, Thousand Lights,
Chennai - 600 006.
5. The Public Prosecutor,
High Court, Madras.

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