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CrI.O.P.No.18923 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.18923 of 2023

Prem Balaji

....

Petitioner

Vs

State Represented by
The Inspector of Police – Crime,
J-8, Neelankarai Police Station,
Chennai – 600 115.

....

Respondent

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the transfer of investigation from the respondent to the CBCID wing or other competent agency.

For Petitioner : Mr.Prem Balaji
Party-in-person
For Respondent : Mr.R.Vinothraja
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed seeking transfer of the investigation in Crime No.232 of 2023 from the file of the respondent to any other investigating agency.



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2. On instructions, the learned Government Advocate (CrI.Side) appearing for the respondent submitted that after registration of the FIR, the respondent completed the investigation and filed a final report before the Judicial Magistrate, Sholinganallur. The same has been taken cognizance in C.C.No.1113 of 2024, which is pending for trial. Therefore, no investigation is pending on the file of the respondent and there is no question of transferring the investigation.

3. However, the learned counsel appearing for the petitioner submitted that it is a case of theft and no recovery has been made.

4. At this juncture, since no investigation is pending on the file of the respondent, the transfer of the investigation does not arise. Hence, the Criminal Original Petition stands dismissed. However, the petitioner is at liberty to approach the Trial Court for appropriate relief.

05.02.2025

Lpp
Index:Yes/No
Internet:Yes/No



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To
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1. The Inspector of Police – Crime,
J-8, Neelankarai Police Station,
Chennai – 600 115.

2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

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