



WEB COPY



Crl.O.P.No.21857 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.21857 of 2023

R.Sivan

... Petitioner

Vs

1. The Superintendent of Police,
O/O. Superintendent of Police,
Salem.

2. The Inspector of Police,
Karipatti Police Station, Salem.

3. The Inspector of Police,
AWPS Vazhapadi Police Station,
Salem District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to issue direction to the first respondent to transfer the investigation in Cr.No.250/2023 now pending on the file of the third respondent to any other investigation agency.

For Petitioner : Mr.G.Karuppasamy Pandian
For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER



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This Criminal Original Petition has been filed for direction directing the first respondent to transfer the investigation in Cr.No.250/2023 now pending on the file of the third respondent to any other investigation agency.

2. Heard the learned counsel on either side and perused the materials placed on record.

3. The learned Government Advocate (Crl.side) appearing for the respondents submitted that the investigation in Crime No.250 of 2023 for the offences under Sections 342, 323 and 506(2) of IPC and Sections 9 and 10 of Prohibition of Child Marriage Act, 2006 is almost completed. Now both the petitioner and the victim got married and living with their respective spouses.

4. In view of the above, the transfer of investigation would not serve any purpose and it would also affect the entire investigation already done by the second respondent.

5. Therefore, this Court is not inclined to transfer the Investigation in



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Crime No.250 of 2023 on the file of the second respondent police to the third respondent. However, the second respondent is directed to complete the investigation in Crime No. 250 of 2023 and file a final report within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is dismissed.

12.02.2025

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



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Superintendent of Police,
O/O. Superintendent of Police,
Salem.
2. The Inspector of Police,
Karipatti Police Station, Salem.
3. The Inspector of Police,
AWPS Vazhapadi Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

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