

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.21033 of 2015

Agavalli

... Petitioner/Complainant

Vs

State, by
The Inspector of Police,
District Crime Branch,
Villupuram.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation to some other agency like CBCID or any other agency in respect of the complaint dated 17.03.2015 given by the petitioner now pending on the file of the respondent police.

For Petitioner : Ms.M.Sheela

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation to some other agency viz., CBCID or any other agency in respect of the complaint dated 17.03.2015 given by the petitioner now pending on the file of the respondent police.

2. The petitioner herein lodged a complaint as against four persons, Perumal, Govindaraj, Balakrishnan and Ganapathi alleging that by creating forged legal heir certificate, they executed certain documents. Since FIR has not been registered and no action has been taken against the accused persons, the present petition has been filed by the petitioner for transfer of investigation to some other investigating agency.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. Learned Additional Public Prosecutor submitted that the petitioner is not co-operating with the enquiry and if the petitioner co-operates with the enquiry, the respondent police will conduct the enquiry and investigate the matter in accordance with law.

5. Considering the submissions made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, this Court directs the petitioner to co-operate with the enquiry with the respondent police and the respondent police is directed to enquire into the matter and if the materials are gathered indicating any cognizable offence, he is directed to proceed further in accordance with law as early as possible. In the course of enquiry, if no prima facie is made out or the matter is civil in nature, he is directed to pass appropriate orders on the complaint made by the petitioner.

5. The criminal original petition is disposed of accordingly.
vsi

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
District Crime Branch,
Villupuram.
2. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MS.M.Sheela, Advocate in SR.NO.64864

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VGI (CO)
sd : 22/12/2015

सत्यमेव जयते

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