

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28382 of 2015

K.Anandan ... Petitioner/Defacto complainant.

Vs

- The State rep. by
1. The Deputy Commissioner of Police,
Land Grabbing Cell,
Commissioner Office,
Vepery, Chennai-600 007.
 2. Inspector of Police,
Land Grabbing Cell II,
Commissioner Office,
Vepery, Chennai-7.
- ... Respondents/Complainant.

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Crime No.81 of 2014, pending on the file of the second respondent to some other agency.

For Petitioner : Mr.C.Rajan

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

ORDER

The present criminal original petition has been filed seeking to transfer the investigation in Crime No.81 of 2014, pending on the file of the second respondent to some other agency.

2. It is the case of the petitioner that on 10.11.2012, he lodged a complaint with the South Zone Joint commissioner of Police as against one A.Krishnamurthy, A.K.Ravichandra and R.Devanandhini, alleging that the said persons have forcibly entered into his property by virtue of a forged and fraudulent document created in their favour. By using the said false and forged document, the accused persons obtained patta in their favour. Hence, the petitioner lodged complaint

with the first respondent police on 10.11.2012 and the same was forwarded to the Inspector of Police, Selaiyur Police Station, Chennai-23 for investigation and report. On 16.12.2012, all the three persons were called and enquired. Thereafter, the Inspector of Police compelled the petitioner to give a letter to the effect that he would cancel the patta issued in their favour and thereafter, the petitioner shall appear before the Officer for enquiry. The complaint given by the petitioner would clearly disclose the offence under Sections 465, 468, 471, 474, 420 and 448 read with 34 I.P.C. But, the second respondent has not chosen to register a case against the said persons and he simply conducted an enquiry, which is an eye-wash to satisfy the superior officers and closed the same as civil in nature. Hence, the petitioner moved this Court by filing a petition in CrI.O.P.No.591 of 2014, wherein this Court set aside the order and directed the Deputy Commissioner of Police to register a case and conduct investigation. Thereafter, a case was registered in Crime No.81 of 2014 for the offence under Sections 420, 468 and 471 read with 120B I.P.C. However, the investigation in this case is a stand still and no further progress has been made in this case. Hence, the petitioner has come up with the present petition to transfer the investigation in Crime No.81 of 2014, pending on the file of the second respondent to some other agency.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor filed counter and submitted that presently the Deputy Commissioner of Police, Central Crime Branch-II, Greater Chennai is investigating the matter and hence, there is no need to transfer the investigation.

4. In view of the said submission made by the learned Additional Public Prosecutor, I am of the opinion, there is no need to transfer the investigation. However, the Deputy Commissioner of Police, Central Crime Branch-II, Greater Chennai is directed to expedite the investigation in Crime No.81 of 2014 and file final report as expeditiously as possible. The criminal original petition is disposed of accordingly.

sbi

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Commissioner of Police,
Land Grabbing Cell,
Commissioner Office,
Vepery, Chennai-600 007

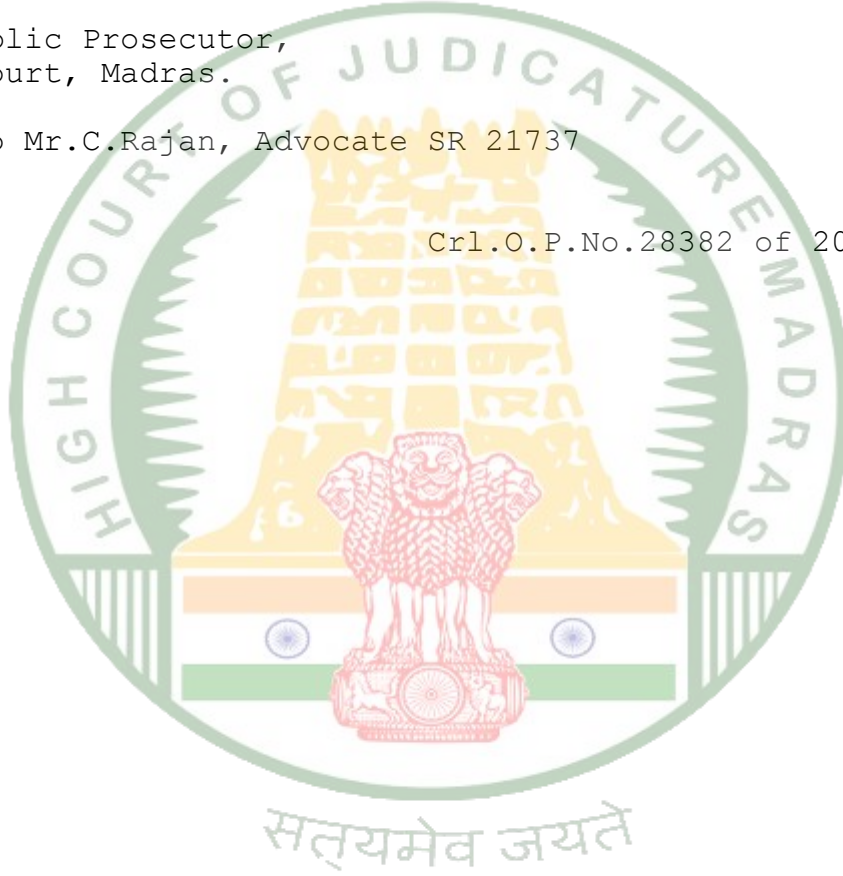
2. Inspector of Police,
Land Grabbing Cell II,
Commissioner Office,
Vepery,
Chennai-7

3. The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.C.Rajan, Advocate SR 21737

ctk(co)
prk7/1

Cr1.O.P.No.28382 of 2015



WEB COPY