



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 20.04.2015
CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

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Cr1.O.P.No.1136 of 2015

1.S.Karthikeyan
2.G.Kumara Sanjeevi
3.S.R.Kumar
4.V.Balasubramaniam
5.A.Guru Murugan

..Petitioners

Vs.

1.The Director General of Police,
Tamilnadu Police Department,
Santhome High Road,
Mylapore, Chennai - 4.

2.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

3.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam,
Virudhunagar District.

4.The Superintendent of Police,
Economic Offence Wing,
Chennai.

5.V.Manikandan
6.M.Krishnaveni
7.V.Anusuya
8.K.K.Rajeswari
9.V.Susila
10.M.Lalitha
11.M.Rajam
12.D.Saraboni Maharaja
13.M.S.Ravikumar
14.T.P.Dinakaran
15.D.Radha
16.P.Arunachalam
17.N.Muthunavaram
18.K.P.RADhakrishnanaraja
19.R.Jamuna

..Respondents/Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to withdraw the case in Crime No.509 of 2014 on the file of the third respondent police and may transfer the investigation to some other agency preferably fourth respondent to conduct fair and impartial investigation in accordance with law and to pass such further or other orders as this Court may deem fit and proper in the above circumstances.



For Petitioners : Mr.K.Kannan
For R1 to R4 : Mr.K.Anbarasan
Govt.Advocate (Crl.Side)

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O R D E R

This petition has been filed under Section 482 Cr.P.C, seeking transfer of investigation of the case in Crime No. 509 of 2014 on the file of the third respondent police to some other agency preferably fourth respondent to conduct fair and impartial investigation in accordance with law.

2.Heard the learned counsel for the petitioners and also the learned Government Advocate (Crl.side).

3.The case has been registered in Crime No.509 of 2014 for the alleged offences under Sections 406 and 420 IPC on 10.10.2014 against the two accused. The anticipatory bail application got dismissed and the second accused was arrested and the first accused is said to have been apprehended and investigation is pending for more than one year.

4.The learned counsel for the petitioners submitted that there is an element of bias involved at the hands of the respondent NO.3. The said allegation is rebutted by the respondent NO.3.

5.This Court is not willing to go into the allegation and denial. The first accused is yet to be secured. Furthermore considering the nature of allegation in which 645 subscribers were said to be defrauded, this Court is of the view that it would be appropriate that investigation will have to be done by a specialized agency. Accordingly, a direction is issued to the respondent NO.3 to transfer the investigation to the respondent NO.4. The respondent NO.4 is directed to hand over the investigation to any other agency under his control and supervise the same.

5. Accordingly, this petition is disposed of.

Sd/-

Assistant Registrar(Per.Admn)

\\True copy\\

Sub Assistant Registrar

To

- 1.The Director General of Police,Tamilnadu Police Department,Santhome High Road,Mylapore,Chennai - 4.
- 2.The Superintendent of Police,Virudhunagar District,Virudhunagar.
- 3.The Inspector of Police,Rajapalayam North Police Station, Rajapalayam,Virudhunagar District.
- 4.The Superintendent of Police,Economic Offence Wing,Chennai.
- 5.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc TO MR.K.KANNAN, ADVOCATE SR.NO. 20841

Crl.O.P.No.1136 of 2015
20.04.2015