



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 23.02.2015

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THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.O.P.(MD)No.2517 of 2015

J.Merlin Joel

..Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police,
Nagercoil,Kanyakumari District.

2.The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
(Crime No.1167 of 2014)

3.The Inspector of Police,
CBCID,Nagercoil,
Kanyakumari District.

..Respondents/Respondents

PRAYER: Criminal Original Petition filed under section 482 of Criminal Procedure Code praying for a direction to the first respondent to withdraw the case in Crime No.1167 of 2014 on the file of the second respondent and transfer the same to the third respondent herein and to pass such further or other order or orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner : Mr.C.Rajakumar

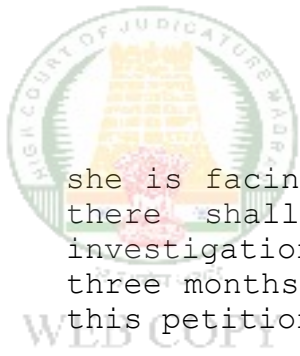
For Respondents: M/S.K.V.Rajarajan
Government Advocate (Crl.Side)

O R D E R

This petition has been filed under Section 482 Criminal Procedure Code, seeking a direction to the first respondent to withdraw the case in Crime No.1167 of 2014 on the file of the second respondent and transfer the same to the third respondent herein.

2. Heard the learned counsel for the petitioner and learned Government Advocate appearing for State.

3. The learned counsel for the petitioner submits that a complaint had been preferred by the petitioner in October 2014 informing that cheque has been stolen. The learned counsel submits that subsequently a case stands preferred against the petitioner alleging offence under Section 138 of Negotiable Instruments Act. She would submit that there is delay in the conduct of investigation. This Court does not consider it appropriate to direct the petitioner to file a complaint since the case has been registered only on 14.12.2014. Further in the light of submission of the learned counsel that



she is facing prosecution under Section 138 of Negotiable Instruments Act, there shall be a direction to the second respondent to complete investigation in the case as expeditiously as possible and not later than three months from the date of receipt of copy of this order. Accordingly, this petition stands disposed of.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

- 1.The Superintendent of Police,
Nagercoil,Kanyakumari District.
- 2.The Inspector of Police,
Vadasery Police Station,Kanyakumari District.
- 3.The Inspector of Police,
CBCID,Nagercoil,Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S. C.Raja Kumar, Advocate in SR.No. 8272

TS/13.03.2015/2P-6C

Cr1.O.P.(MD)No. 2517 of 2015

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