

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.29204 of 2014

S.Murugan

... Petitioner

Vs.

State by
The Inspector of Police,
Valapadi Police Station,
Attur Taluk,
Salem District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to appoint the CBCID or some other agency to investigate the petitioner's complaint dated 21.12.2013 and direct the respondent to hand over the records in FIR No.786/2013 to that agency.

For Petitioner : Mr.R.Asaithambi

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, to appoint the CBCID or some other agency to investigate the petitioner's complaint dated 21.12.2013 and direct the respondent to hand over the records in FIR No.786/2013 to that agency.

2.The learned counsel for the petitioner submitted that the petitioner has obtained loan from the bank and when he went to a petrol bunk to fill his bike's tank, a police officer has collected the money from the petitioner and the petitioner has given a complaint against him before the respondent and the respondent has not shown any interest to enquire the matter. Hence, the petitioner has come forward with these petitions for the above stated relief.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that a case has been registered only for an offence under Section 420 IPC. The petitioner has given a complaint against the police officer. He further

submitted that the investigation is going on. It is not the case to investigate the matter by CBCID. Therefore, he prays for dismissal of this petition.

4. On perusal of the typed set of papers, it reveals that the petitioner has given a complaint dated 21.12.2013 to the respondent and a case has been registered under Section 420 IPC against one person, aged about 50 years. Now, the investigation is going on.

5. Considering the averments made in the complaint, it is not a public interest case, but a fair investigation has to be done. Hence, I am of the view that the Superintendent of Police, Salem, is directed to appoint the Deputy Superintendent of Police and that he is directed to monitor the investigation done by the 1st respondent, which will meet out the ends of justice.

Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

mps

To

1. The Inspector of Police,
Valapadi Police Station,
Attur Taluk,
Salem District.
2. The Superintendent of Police,
Salem.
3. The Deputy Superintendent of Police,
Salem.
4. The Public Prosecutor,
Madras High Court,
Madras.

Cr1.O.P.No.29204 of 2014

SKV(CO)
CA(08/03/2016)