



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2017

CORAM:

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THE HONOURABLE MR.JUSTICE S.S.SUNDARCRL.OP.(MD).No.16374 of 2017

Sokkesh

Vs.

. . . Petitioner

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Sub Inspector of Police,
Central Police Station,
Thoothukudi,
Thoothukudi District.
(In Crime No.353 of 2017)

. . . Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to transfer the case in Crime No.353 of 2017 on the file of the Sub Inspector of Police, Central Police Station, Thoothukudi District, to some other Investigating Officer.

For Petitioner
For Respondents

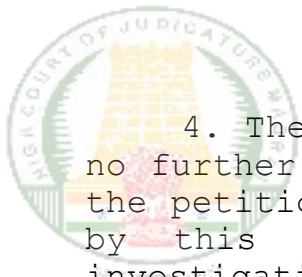
: Mr.C.Jeyaprakash
: Mr.K.S. Durai Pandiyan,
Additional Public Prosecutor.

ORDER

This Criminal Original petition is filed for transferring the case in Crime No.353 of 2017 on the file of the Sub Inspector of Police, Central Police Station, Thoothukudi District/second respondent herein, to some other Investigating Officer.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The petitioner states that he lodged a complaint as against an individual who did not repay a sum of Rs.1,50,000/- and the value of 97 grams(24 carat) gold. Though the complaint reveals that the transaction was simply a money transaction, a case was registered pursuant to the direction of the learned Judicial Magistrate No.II, Thoothukudi, in Cr.M.P.No.4127 of 2017.



4. The learned counsel for the petitioner stated that there was no further enquiry or investigation in this case and that therefore the petitioner is constrained to file this petition and a direction by this Court to transfer the investigation to some other investigating officer will be in the interest of justice.

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5. It is not in dispute that the complaint itself was registered on 02.09.2017. Having regard to the nature of allegations, the petitioner has made in the complaint, this Court is not able to see any justification for transferring the investigation, merely because, final report is not yet filed in the criminal case.

6. Learned Additional Public Prosecutor on instructions submitted that the second respondent has conducted enquiry and the investigation is under process. He further submitted that final report will also be filed, if a reasonable time is given.

7. Recording the said statement of the learned Additional Public Prosecutor, this Court is inclined to pass the following direction:-

"The second respondent is directed to expedite the investigation and to file final report in Crime No.353 of 2017 within a period of two months from the date of receipt of a copy of this order."

8. With the above observation, the Criminal Original petition is disposed of.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Sub Inspector of Police,
Central Police Station,
Thoothukudi,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

PMU/PNN

JS/JC/SAR.4/18.12.2017/2P-4C