



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.8311 of 2017

Kallathiyan

... Petitioner

-Vs-

1. The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
(Crime No.57 of 2017)

2. The Superintendent of Police,
CBCID, Chennai. ... 1st & 2nd Respondents/Respondents

3. Thankamuthu

4. Velvallil ... 3rd & 4th Respondents

(R3 and R4 were impleaded as per order of this Court made in Crl.M.P.(MD) No.6617 of 2017 in Crl.O.P.(MD)No.8311 of 2017 dated 05.09.2017)

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.57 of 2017 on the file of the 1st respondent police to the 2nd respondent or any other investigation agency other than the 1st respondent.

For Petitioner	: Mr.D.Saravanan
For R1 and R2	: Mr.K.Anbarasan, Government Advocate(Crl. Side).
For R3 and R4	: Mr.T.Lenin Kumar

O R D E R

This Criminal Original Petition has been filed to transfer the investigation in Crime No.57 of 2017 on the file of the 1st respondent police to the 2nd respondent or any other investigation agency other than the 1st respondent.

<https://hcservices.courts.gov.in/hcservices/>
2. It is stated by the petitioner that based on the complaint lodged by the petitioner, a case was registered in Cr.No.57 of



2017 as against the private respondents for offences punishable under Sections 465, 467, 468, 471 and 420 of IPC. The allegations in the complaint is that the private respondents based on the forged patta, had created some documents. It is stated that the Tahsildar has also certified the forged patta, which was the basis for conveying the property. It is only on the main ground that Anticipatory Bail applications filed by the private respondents were not opposed by the first respondent, the petitioner has filed this petition.

3. *Prima facie* this Court is not satisfied with the reason stated by the petitioner for transferring the investigation. However the learned Counsel for the petitioner has made a submission that the petitioner will be satisfied, if a direction is issued to the effect that the investigation by the first respondent shall be under the supervision of the Deputy Superintendent of Police (Rural Sub-Division), Tirunelveli.

4. Considering the limited scope of prayer that is now put forth by the learned Counsel for the petitioner and having regard to the nature of offences alleged, this Court is inclined to pass the following directions:

"The investigation by the first respondent in Cr.No.57 of 2017 on the file of the first respondent shall be done under the supervision of the Deputy Superintendent of Police (Rural Sub-Division), Tirunelveli and the first respondent is directed to file a final report as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order".

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

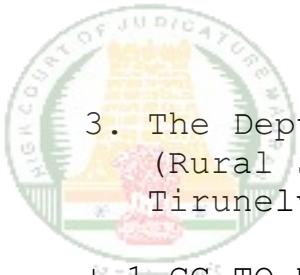
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Sub Assistant Registrar

To

1. The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
(Crime No.57 of 2017)

2. The Superintendent of Police,
Chennai.



3. The Deputy Superintendent of Police
(Rural Sub-Division),
Tirunelveli.

+ 1 CC TO MR.D.Saravanan, ADVOCATE IN SR No. 78994

+ 1 CC TO MR.T.Lenin Kumar, ADVOCATE IN SR No. 78841

cmr

MK/JC/SAR-2/27.09.2017/3P/6C

Cr1.O.P. (MD) No.8311 of 2017

13.09.2017