



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2017

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WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.936 of 2017

G.Muthukumarasamy

: Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
2. The Superintendent of Police,
CBCID, South Zone,
SIDCO Electronic Complex,
Block NO.3, 1st Floor & 3rd Floor,
Guindy Industrial Estate,
Chennai-600 032.
3. The Inspector of Police,
District Crime Branch,
(Anti Land Grabbing Special Cell)
Tirunelveli.
4. The Inspector of Police,
C.B.C.I.D.,
Tirunelveli.

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to issue a direction to transfer the investigation of the case in Crime NO.2/2014 from the file of 3rd respondent to the 4th respondent for proper investigation of the case.

For Petitioner : Mr.M.Saravanan
For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.side)

O R D E R

This petition has been filed by the petitioner to transfer the investigation of the case in Crime NO.2/2014 from the file of third respondent to the fourth respondent for proper investigation of the case.



2. Today, Mr.V.Vairava, Special Sub Inspector of Police, Anti Land Grabbing Special Cell, is present before this Court.

3. Heard Mr.M.Saravanan, learned counsel appearing for the petitioners and Mr.K.Anbarasan, learned Government Advocate, appearing for the respondents.

4. On 15.06.2017, this Court passed the following order:

"When the matter was taken up for hearing, the learned Government Advocate (Crl. side) submitted that the property in question falls within the jurisdiction of the Central Crime Branch, Tirunelveli, which comes under the jurisdiction of the Commissioner of Police, Tirunelveli City, but whereas, the present investigation is being conducted by the District Crime Branch, which comes within the jurisdiction of the Superintendent of Police, Tirunelveli and therefore, the District Crime Branch is contemplating of transferring the investigation to the Central Crime Branch, Tirunelveli.

2. In the opinion of this Court, just because the property is within the jurisdiction of the Central Crime Branch, Tirunelveli, it does not mean that the District Crime Branch, Tirunelveli will have no jurisdiction at all to conduct the investigation. The investigation has been conducted by the District Crime Branch and two persons have been arrested by the District Crime Branch. At this juncture, if the investigation is transferred to the Central Crime Branch, it will only further delay the investigation. Therefore, this Court directs the District Crime Branch, Tirunelveli to proceed further with the investigation and file the final report before the jurisdictional Magistrate.

List the matter on 28.06.2017."

5. Today, the learned Government Advocate (Crl. side), on instructions, submitted that the District Crime Branch, Tirunelveli, is proceeding with the investigation and that they have arrested three persons.

6. Recording the same, this petition is closed with a direction to the District Crime Branch, to proceed with the investigation and take action in accordance with law. The Deputy Superintendent of Police, District Crime Branch, is directed to monitor the investigation in Crime No.2/2014.

7. With the above direction, this petition is closed.

Sd/-

Assistant Registrar (CO)



To:

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
2. The Superintendent of Police,
CBCID, South Zone,
SIDCO Electronic Complex,
Block NO.3, 1st Floor & 3rd Floor,
Guindy Industrial Estate,
Chennai-600 032.
3. The Inspector of Police,
District Crime Branch,
(Anti Land Grabbing Special Cell)
Tirunelveli.
4. The Deputy Superintendent of Police
District Crime Branch, Tirunelveli
5. The Inspector of Police,
C.B.C.I.D., Tirunelveli.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.M.SARAVANAN, ADVOCATE IN SR No. 62287

RR

TE/MR-KKR/SAR-II : 13/07/2017 : 3P/8C

Order made in
Crl.O.P. (MD) No.936 of 2017
28.06.2017