



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.16786 of 2018

S.Muthusami

...Petitioner

Vs.

1.The Commissioner of Police,  
Commissioner Office,  
132, EVK Sampath Road,  
Vepery, Chennai - 600 007.

2.State rep. by  
Inspector of Police,  
CCB-1,  
Office of Commissioner Office,  
132, EVK Sampath Road, Vepery,  
Chennai - 600 007.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation in Crime No.859 of 2016 dated 31.10.2016, pending on the file of the second respondent police to Crime Branch Crime Investigation Department (CB-CID), Chennai or to any other independent investigating agency and to investigate the same and file a final report within a time framed fixed by this Hon'ble High Court.

For Petitioner : Mr.A.Edwin Prabakar

For Respondents : Mr.M.Mohamed Riyaz  
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for transfer the investigation in Crime No.859 of 2016 dated 31.10.2016, pending on the file of the second respondent police to Crime Branch - Crime Investigation Department (CB-CID), Chennai or to any other independent investigating agency and to investigate the same and file a final report.



2. The learned counsel appearing for the petitioner would submit that after filing of this petition, the second respondent has been registered a case in Crime No.168 of 2016, for the offences under Sections 419, 420, 465, 467, 468, 471, 448 and 120B of IPC as against four accused persons. Further he would submit that the second respondent did not enquire the said accused persons and did not take any steps to arrest the accused persons. He also submitted that all the documents, which were fabricated and created by the accused persons to the second respondent to take action, even then, after receipt of the same, the second respondent did not take any action against the accused persons. Therefore, the present petition has been filed by the petitioner.

3. The learned Additional Public Prosecutor would submit that now trace out the accused persons, who fabricated and created the documents in favour of the other accused persons. Thereafter, to complete the investigation and also taking serious steps to arrest the accused persons.

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

5. Considering the submissions made by the learned Additional Public Prosecutor, this Court directs the Deputy Commissioner, CCB, Office of the Commissioner, to monitor the investigation conducted by the second respondent. Further, the second respondent is directed to complete the investigation and file a final report in Crime No.168 of 2016, within a period of three months from the date of receipt of a copy of this order.

6. This Criminal Original Petition is disposed of with the above direction.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



To

1.The Commissioner of Police,  
Commissioner Office,  
132, EVK Sampath Road,  
Vepery, Chennai - 600 007.

2.The Inspector of Police,  
CCB-1,  
Office of Commissioner Office,  
132, EVK Sampath Road, Vepery,  
Chennai - 600 007.

3.The Deputy Commissioner of Police,  
CCB, Office of the Commissioner,  
Chennai.

4. The Public Prosecutor,  
High Court of Madras,  
Madras.

+1cc to Mr.A.Edwin Prabakar, Advocate Sr.10119

Cr1.O.P.No.16786 of 2018

vd[col]  
srg 02/04/2019