

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20963 of 2018

Palani

.. Petitioner

Vs

1. The Commissioner of Police,
Vepery, Chennai.

2. The Inspector of Police,
Chrompet Police Station(Crime),
Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to transfer the investigation in Crime No.948 of 2017 from the 2nd respondent Police to the CBCID at Chennai.

For Petitioner : Mr.B.Ramar.

For Respondents : Mr.C.Raghavan, Govt. Advocate

O R D E R

The petitioner filed a petition in C.M.P.No.5228 of 2017 before the Judicial Magistrate, Tambaram under Section 156[3] Cr.P.C. and on the directions of the learned Magistrate, the 2nd respondent Police has registered a case in Crime No.948 of 2017 on 30.08.2017 under Section 420 and 406 IPC. While so, the petitioner is before this Court for transfer of investigation.

2.Heard the learned counsel for the petitioner and the learned Government Advocate.

3.Learned counsel for the petitioner submitted that though the FIR was registered as early as on 30.08.2017, the police have not taken any fruitful action.

4.This Court carefully perused the allegations in the FIR. It is the case of the petitioner that he is a Proprietor of M/s.Asian Traders, dealing in rice and other food items; that

one, M/s. Grade One Traders purchased ponni rice vide purchase order No.1106 and gave advance of Rs.2,50,000/-, but did not give the balance of Rs.5,48,000/-.

5. Taking into consideration the nature of the allegations in the FIR, this Court is of the view that this is not a fit case to transfer the investigation to CBCID. However, this Court directs the second respondent to complete the investigation in Crime No.948 of 2017 and either file a Closure Report on a Charge Sheet as the case may be, under due intimation to the de facto complainant, provided there is no any legal impediment.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

gya/ska

To

1. The Commissioner of police,
Vepery,
Chennai.
2. The Inspector of Police,
Chrompet Police Station (Crime),
Chennai.
3. The Public Prosecutor,
High Court,
Madras.

+lcc to Mr.B.Ramar, Advocate sr.no.59463

CRL.O.P.No.20963 of 2018

nr 17/09/2018

WEB COPY