

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.6681 of 2017

Kasthuri

... Petitioner

Vs.

State by
The Inspector of Police (Crime),
Vepery Police Station,
Chennai.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C to transfer the investigation on the file of the respondent to any other agency in respect of the complaint dated 10.11.2012 which was given to the Commissioner of Police in C.No.13537/COP/Visitors/ 2012 and forwarded to the respondent for investigation which is pending on the file of the respondent without any progress.

For Petitioner : Mr.C.Rajan

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

ORDER

This Criminal Original Petition has been filed seeking to transfer the investigation.

2. The petitioner had given a complaint before the respondent police on the ground that the accused persons have cheated to an extent of Rs.5,00,000/- (Rupees Five Lakhs only). Since no action was taken on the complaint, the petitioner had filed a petition in Crl.OP.No.22727 of 2013 before this Court and this Court by an order dated 05.09.2013, directed the respondent police to enquire into the matter and take further action in accordance with law.

3. The learned counsel for the petitioner would submit that inspite of the direction given by this Court, the respondent police did not take any action and therefore the present

petition has been filed seeking for transfer of investigation. The complaint was given in the year 2013 and the earlier order passed by this Court, dated 05.09.2013 and therefore, at this length of time, it will not be possible for this Court to transfer the investigation.

4. Ends of Justice can be met by permitting the petitioner to give a fresh complaint before the respondent police on the same facts and the respondent police on receipt of the complaint shall call the parties for enquiry and follow the guidelines given in Lalitha Kumari Vs. Government of Uttar Pradesh reported in 2013 (6) CTC 353 and take action in accordance law.

5. In view of the above, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

msrm/gsi

To

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

+2cc to Mr.C.Rajan, Advocate, S.R.No.88774

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KJI(CO)
CS/23/01/2019

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