

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.03.2019

CORAM:

THE HONOURABLE **MR. JUSTICE G.K.ILANTHIRAIYAN**

Crl.O.P.No.5608 of 2017

M.Vivekanandan

...Petitioner

Vs.

State by

1.The Commissioner of Police
Greater Chennai
Vepery
Chennai 600 007

2.The Inspector of Police
Central Crime Branch Team- V
Vepery, Chennai 600 007

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the above case namely Crime No.505/2015 pending on the file of the Central Crime Branch Team-V, Chennai to CBCID, Chennai or to any other competent investigating agency and investigate the case and to file a final report within a stipulated time.

For Petitioner : Mr.A.G.Rajan

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

ORDER

This Criminal Original Petition has been filed by the petitioner under Section 482 of Cr.P.C., to transfer the above case namely Crime No.505/2015 pending on the file of the Central Crime Branch Team-V, Chennai to CBCID, Chennai or to any other competent investigating agency and investigate the case and to file a final report within a stipulated time.

2.The learned counsel for the petitioner would submit that the petitioner lodged a complaint before the 1st respondent City Commissioner of Police, Chennai against the accused persons who prepared the forged documents and sold the property to the petitioner and cheated him to the tune of 2,25,00,000/-. The said complaint was forwarded to Central Crime Branch Team-V and a case was duly registered by them in Crime No.505 of 2015 for the offences under Section 419, 467, 468, 471 and 420 r/w Sec. 34 of IPC. The learned counsel would further submit that the 2nd respondent did not take any action to arrest the main accused though they are very well available in their locality. The petitioner has got no faith on the investigation being carried out by the 2nd respondent police. Hence prays for appropriate reliefs.

3.Heard the learned counsel for the petitioner.

4.It is seen that the FIR has been registered by the CCB-Team V i.e. by the 2nd respondent herein in the year 2015 and the same is pending without conducting any enquiry. There is a force in the arguments made by the learned counsel for the petitioner to transfer the Crime No.505/2015 pending for investigation on the file of the 2nd respondent to any other competent investigating agency for proper and fair investigation.

5.Considering the above submissions made by the learned counsel for the petitioner, this Court directs the 2nd respondent to complete the investigation and file a final report in Crime No.505/2015 within a period of three months. The Deputy Commissioner of Police, CCB, Vepery, Chennai is hereby directed to monitor the investigation conducted by the 2nd respondent.

6.With the above direction, this Criminal Original Petition stands disposed of.

19.03.2019

kas

G.K.ILANTHIRAIYAN, J.

To

1.The Commissioner of Police
Greater Chennai
Vepery
Chennai 600 007

2.The Inspector of Police
Central Crime Branch Team- V
Vepery, Chennai 600 007

3.The Public Prosecutor,
High Court of Madras.



Crl.O.P.No.5608 of 2017

WEB COPY

19.03.2019