

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2018

CORAM :

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
Crl.O.P.No.19686 of 2017

M.Masilamani

.. Petitioner

Vs

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Vellore,
Vellore District.
2. The Deputy Superintendent of Police,
Arakkonam,
Vellore District.
3. The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam,
Vellore District.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to transfer the investigation from the 3rd respondent police to some other investigation officer in Crime No. 405 of 2017.

For Petitioner : Mr.Gokulram

For Respondents : Mrs.M.Prabhavathi
Additional Public Prosecutor

O R D E R
सत्यमेव जयते

This Criminal Original Petition has been filed to direct the 1st respondent police to transfer the investigation in Crime No.405 of 2017, from the file of the 3rd respondent police to some other Investigating Officer.

2. On the complaint lodged by one M.Masilamani, the petitioner herein, the respondent police have registered a case in Crime No.405 of 2017 on 18.07.2017, for the offences under Sections 341, 420 and 506(1) IPC against Amutha and Nadaraj. Not satisfied with the progress of the investigation, the petitioner/de facto complainant is before this Court.

3. Heard the learned counsel for the petitioner/de facto complainant and the learned Additional Public Prosecutor, appearing for the respondents.

4. The learned counsel for the de facto complainant submitted that the de facto complainant has mentioned one Amutha and her husband Nadaraj, and two others in his complaint. However, no FIR has been registered against the other two.

5. Per contra, the learned Additional Public Prosecutor refuted the contentions.

6. This Court gave its anxious consideration to the rival submissions.

7. On a reading on the complaint given by the petitioner/de facto complainant, it is seen that the petitioner and his family members had given moneys to the accused towards chit transactions, loan and towards other financial transactions, to a tune of Rs.18,85,540/-. It is admitted by the de facto complainant that the accused had given in writing, on a stamp paper for a value of Rs.50/-, accepting liability. While so, it is alleged by the de facto complainant that on 04.12.2016 around 6.30 p.m, the accused wrongly restrained the de facto complainant and threatened him by saying that they will not make any payment. Hence, the FIR in Crime No.405 of 2017. The FIR has been registered by the Sub Inspector of Police, Arakkonam Town Police Station, Vellore District.

8. In the opinion of this Court, it is not a fit case to be transferred to any other agency, as prayed for by the petitioner/de facto complainant. It will suffice if, this Court directs the Deputy Superintendent of Police, in-charge of Arakkonam Town Police Station, to monitor the investigation in Arakkonam Town Police Station Crime No.405 of 2017, that is being conducted by the Inspector of Police, Arakkonam Town Police Station and to expeditiously complete the same and thereafter, file a final report or a closure report, as the case may be, under due intimation to the petitioner/de facto complainant.

With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

mkn/ssr

To

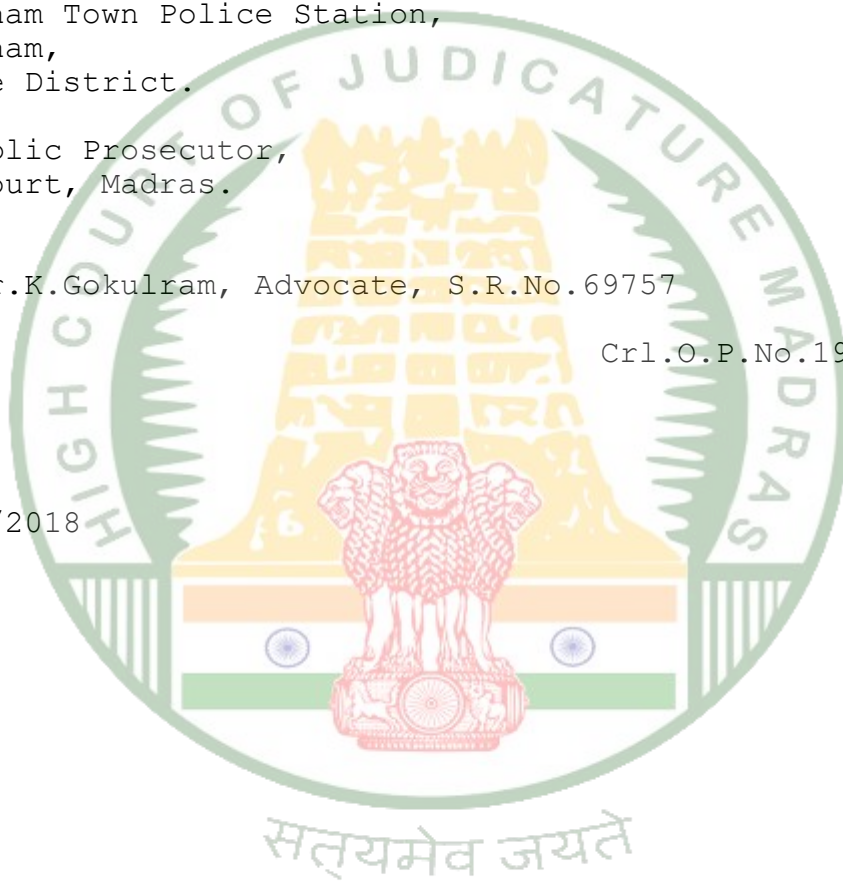
1. The Superintendent of Police,
O/o. the Superintendent of Police,
Vellore, Vellore District.
2. The Deputy Superintendent of Police,
Arakkonam,
Vellore District.
3. The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Gokulram, Advocate, S.R.No.69757

CrI.O.P.No.19686 of 2017

VBA (CO)

rrs 26/10/2018



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