

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.11.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25743 of 2018

A.Rathnakar Sahoo

.. Petitioner

Vs

1.State of Tamil Nadu rep by its
The Inspector of Police,
R-7, K.K.Nagar Police Station,
K.K.Nagar, Chennai - 600 078.

2.Sasmitha Rout

3.The Inspector of Police,
Central Crime Branch,
EVR Salai, Vepery,
Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to transfer the investigation of FIR in Crime No.572 of 2018 pending on the file of Inspector of Police R-7, K.K.Nagar Police Station, K.K.Nagar, Chennai to the Inspector of Police, Central Crime Branch, Vepery, Chennai.

For Petitioner : Mr.Vimal B.Crimson

For Respondents : Ms.M.Prabhavathi, (For
R1 & R3)

Additional Public Prosecutor

O R D E R

This petition has been filed seeking transfer of the investigation of FIR in Crime No.572 of 2018 pending on the file of the Inspector of Police R-7, K.K.Nagar Police Station, K.K.Nagar, Chennai to the Inspector of Police, Central Crime Branch, Vepery, Chennai.

2.On the complaint lodged by the petitioner, the respondent police have registered a case in Cr.No.572 of 2018 on 02.09.2018 under Sections 406 and 420 IPC and took up the investigation of the case.

3.It is the case of the de facto complaint that they are dealers in medical equipments and that the accused who was working in the de facto complainant's company had misappropriated some medical equipments and had sold the same

in the black market. After registration of the FIR, the police arrested one accused, however they were not able to recover the medical equipments. It is the apprehension of the de facto complainant that the medical equipments that have been sold by the accused in the black market may find their way into the hands of unauthorized medical practitioners who may use the equipments on patients and if anything goes wrong, the de facto complainant's company will be held responsible. Therefore, the de facto complainant is seeking transfer of the investigation.

4.Heard Mr.Vimal B.Crimson, learned counsel for the de facto complainant who reiterated the submissions.

5.The fact remains that one accused was arrested by the police. However the police were not able to recover the medical equipments, since those equipments were disposed off by the accused in the market. Under such circumstances, even if this case is transferred to any other agency, the consequences anticipated by the de facto complainant cannot be mitigated.

6.Hence, this Court directs the Assistant Commissioner of Police, Ashok nagar to closely monitor the investigation in R-7, K.K.Nagar Police Station in Crime No.572 of 2018 that is being conducted by the Inspector of Police, R-7, K.K.Nagar Police Station and take effective steps to recover the medical equipments and thereby prevent its misuse.

With the above direction, this petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1.The Inspector of Police,
The State of Tamil Nadu,
R-7, K.K.Nagar Police Station,
K.K.Nagar, Chennai - 600 078.

2.The Inspector of Police,
Central Crime Branch,
EVR Salai, Vepery,
Chennai.

3.The Assistant Commissioner of Police,
Ashok Nagar,
Chennai.

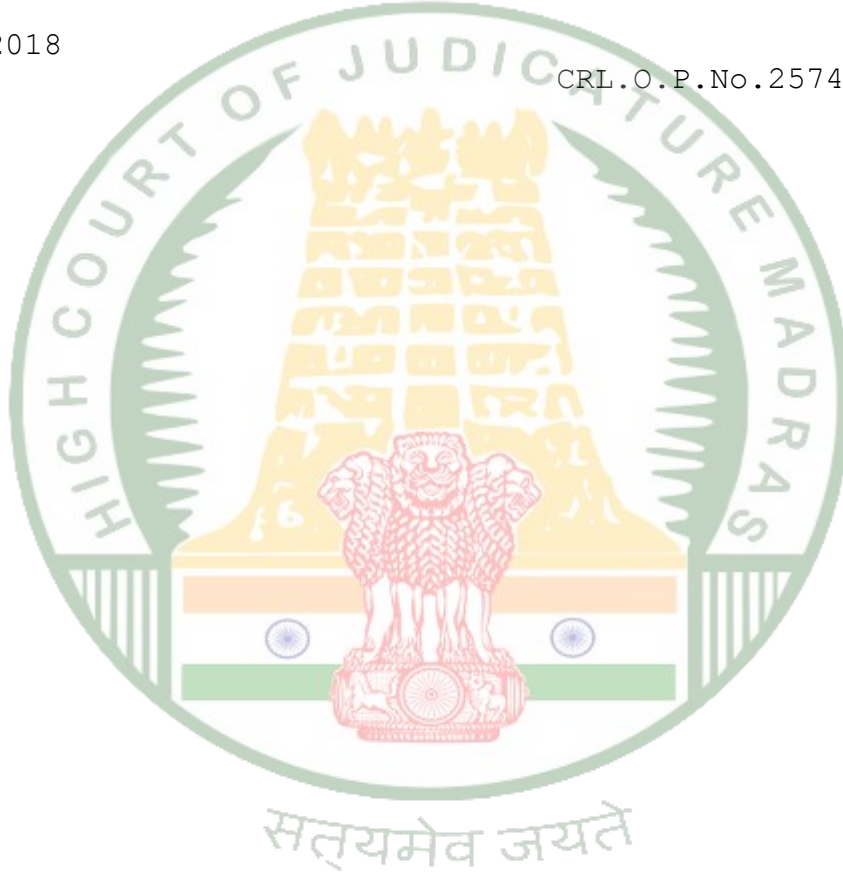
4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Vimal B.Crimson, Advocate SR.NO.75953

+2cc to Mr.Vimal B.Crimson, Advocate SR.NO.75953 dt.13.11.2018

sm:12.11.2018

CRL.O.P.No.25743 of 2018



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