



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P(MD)No.14939 of 2018

Dhanarajan Fernando : Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Thiruchendur Taluk Police Station,
Thoothukudi District. :Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to issue order or direction to the 1st respondent directing him to pass appropriate order to transfer the investigation of the Cr.No.154/2018 dated 19.06.2018 case on the file of the 2nd respondent to some other investigation officer and direct them to take effective actions to recover the cheated amount from the accused.

For Petitioner : Mr.N.Karthik Kanna
For Respondent : Mrs.S.Bharathi
Government Advocate (Cr1.Side) for R-1

ORDER

This petition has been filed for a direction to transfer the investigation in Cr.No.154 of 2018, which is now pending on the file of the second respondent.

2.The case of the petitioner is that even though the complaint was given, the second respondent did not register an F.I.R and thereafter only after a direction of this Court, an F.I.R came to be registered in Cr.No.154/18. It is the grievance of the petitioner that the second respondent is not investigating the case.

3.The learned counsel for the petitioner would submit that even the anticipatory bail petitions filed by the accused persons were dismissed both by this Court, insofar as the second accused is concerned and by the Principal Sessions Court insofar as the first



accused is concerned. In spite of the dismissal of the anticipatory bail petitions filed by A-1 and A-2, the second respondent has not taken any steps to proceed further with the investigation and secure the accused persons. Therefore, the learned counsel for the petitioner would submit that the second respondent is not carrying on with the investigation, which warrants the transfer of investigation.

4.The learned Government Advocate (Crl.Side) would submit that the second respondent is in the process of investigation.

5.Taking into consideration the facts and circumstances of the case, the first respondent is directed to monitor the investigation of the second respondent and the second respondent is directed to proceed further with the investigation and file a final report as expeditiously as possible.

6.This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

vs

To

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Thiruchendur Taluk Police Station,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Karthik Kanna, Advocate in SR No.81165

CRL.OP. (MD) No.14939 of 2018

NM/SKN/SAR 2/20.09.18/2P/5C