



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4930 of 2019

D.Sridhar

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai.
2. The Deputy Superintendent of Police,
CBCID Wing,
24, Pantheon Road,
Komaleeswaranpet,
Egmore, Chennai.
3. The Inspector of Police,
Central Crime Branch,
Land Grabbing Wing,
Vepery, Chennai.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation of the case in Crime No.126 of 2015 from the file of 3rd respondent to 2nd respondent or any other investigating agency.

For Petitioner : Mr.S.Elambharathi

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

O R D E R

This petition has been filed seeking for transfer of investigation.

2. A status report has been filed by the 3rd respondent. The relevant portions of the status report is extracted hereunder:



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Thereafter, in the year 2014, A-2 Meenatchi lodged a complaint before the J-3 Guindy P.S. by stating that the mother document no.194 of 1945 of the property in dispute is found missing and requesting for non-traceable certificate for the same. Based on that, the Non-Traceable Certificate was issued on 31.1.2014. Subsequently, on 16.06.2014, A-1 had executed a Release Deed over the defacto complainant's property vide Doc.No.1416 of 2014 in favour of A-2 Meenatchi. Based on the Release Deed, A-2 had executed a Power of Attorney vide Doc.No.1634 of 2014 dated 07.07.2014 in favour of one Palani @ Palanikani [A-3], W/o.Selvam. The above said accused persons [A-1 to A-3] had colluded with each other by way of creating forged documents over the complainant's property and thus cheated him for their wrongful gain.

3. It is submitted that based on the above complaint, a case was registered CCB Chennai Crime No.126 of 2015, U/s 419, 465, 468, 471, 474, r/w 120 (B) IPC against the Accused persons [A-1 to A-3] on 28.03.2015 by Tr.Chellamuthu, the then Inspector of Police, CCB, Chennai and he took up the case for investigation.

4. It is submitted that during the course of investigation, the then Inspector of Police examined the defacto complainant and other and recorded their statements. He also collected relevant documents from the office of the Sub Registrar, Ashok Nagar and Saidapet.

5. It is submitted that from the date of registration of this case, the accused persons [A-1 to A-3] are still absconding. I have formed a Special team headed by me along with Tr.Muniraj, Sub Inspector of Police, Tr.Elumalai-HC-20086 and Tr.Rajkumar-HC-16492 and the special team has been taking their sincere and effective steps to secure the absconding accused persons [A-1 to A-3].

6. It is submitted that I have obtained the Genuineness certificate of the above said Legal Heriship certificate and Death Certificate of Kuttiammal which was issued by the Tahsildar, Guindy-Mambalam Taluk, Chennai.

3. This Court is convinced with the manner in which the investigation is going on in this case. The respondent police is directed to secure the absconding accused persons and complete



the investigation within a period of three months and file a final report before the Special Court for CCB and CBCID Cases, Egmore, Chennai.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai,
132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai.
2. The Deputy Superintendent of Police,
CBCID Wing,
24, Pantheon Road,
Komaleeswaranpet,
Egmore, Chennai.
3. The Inspector of Police,
Central Crime Branch,
Land Grabbing Wing,
Vepery, Chennai.
4. The Special Court for CCB and CBCID Cases,
Egmore, Chennai.
5. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.4930 of 2019

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GN(27/08/2019)