

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2019

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.O.P.No.22552 of 2019
and Crl.M.P.No.11748 of 2019

B.Kavitha ... Petitioner/Accused

Vs.

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

2. The Deputy Commissioner of Police,
Anna Nagar Police District,
Anna Nagar, Chennai - 600 040.

..1st & 2nd Respondent/Respondents

3. The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai - 600 040.

..3rd Respondent/Complainant

4. Firm Foundations & Housing (P) Ltd.,
Rep. By Sarvendiran,
Vice President,
Q-Block, 93, Anna Nagar,
Chennai - 600 040.

...4th Respondents

[R4 implead as per order in Crl.M.P.13518 of 2019 in
Crl.O.P.No.22552 of 2019 dated. 19.09.2019]

PRAYER:Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records culminating in Crime No.445 of
2019, pending investigation on the file of the 3rd respondent and
transfer the same to any other investigating agency to be
appointed by this Court.

For Petitioner : Mr.P.Rajkumar Pandian

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor
for R1 to R3

: Mr.A.Ganesh for R4

O R D E R

The prayer sought for in the present criminal original petition is for transfer of the investigation from the 3rd respondent to any other investigating agency. It is not in dispute that the pecuniary value involved in the complaint is over and above Rupees 50 Lakhs and as such the 3rd respondent would not be competent to investigate into the complaint. The competent agency would be the Central Crime Branch, Chennai, in view of the pecuniary value of the complaint.

2. In the light of the above observations, there shall be a direction to the 2nd respondent herein to have the investigation in Crime No.445 of 2019 transferred to the file of an Investigation Officer under the Central Crime Branch, Chennai, as expeditiously as possible, in any event, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner.

3. Accordingly, this criminal original petition is closed. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai Police,
Veperiy, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Anna Nagar Police District,
Anna Nagar, Chennai - 600 040.
3. The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai - 600 040.

4. The Public Prosecutor,
High Court, Madras.

5. The Investigation officer
Central Crime Branch
Chennai.

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and Crl.M.P.No.11748 of 2019

CP(CO)
SP(11/12/2019)