



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.9103 of 2018

WEB COPY

P.Rethinapazham

... Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Ethamozhi Police Station,
Ethamozhi,
Kanyakumari District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 1st respondent to transfer the investigation in crime No.54 of 2018 on the file of the 2nd respondent herein to some other competent officer and make further investigation and to file final report in accordance with law.

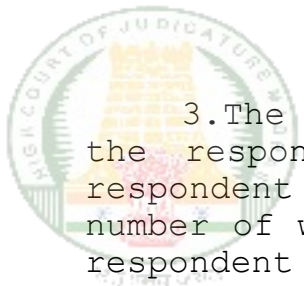
For Petitioner : Mr.L.George Paul Anto

For Respondents : Mr.K.Suyambulinga bharathi,
G.A. (Crl. Side)

O R D E R

This petition has been filed to direct the 1st respondent to transfer the investigation in crime No.54 of 2018 on the file of the 2nd respondent herein to some other competent officer and make further investigation and to file final report in accordance with law.

2.The learned counsel appearing for the petitioner submits that the 2nd respondent is conducting the investigation in a lethargic manner and though in the FIR, two named accused and 5 unnamed accused were mentioned, only the 2nd accused was arrested and no property has been recovered from him. He further submitted that though the 1st accused has been mentioned as accused in the FIR, the 2nd respondent has not taken any steps either to arrest the accused or to recover the property. Further, the 2nd respondent police forced the petitioner to withdraw his complaint. Hence, he seeks transfer of investigation.



3.The learned Government Advocate (criminal side) appearing for the respondent police submits that after registering the case, respondent police arrested one of the accused and also examined number of witnesses. Now, the investigation is going on and the 3rd respondent is conducting the investigation in a proper manner.

4.Considering the said submission, this Court is of the view that at this stage, the transfer of investigation would affect the entire investigation. However, the 2nd respondent is directed to complete the investigation, within a period of 8 (eight) weeks from the date of receipt of a copy of this order and the 1st respondent is directed to monitor the investigation done by the 2nd respondent and also ensure that the 2nd respondent shall comply with the order of this Court.

5.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Inspector of Police,
Ethamozhi Police Station,
Ethamozhi,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.GEORGE PAUL ANTO, Advocate (SR-96055[F] dated 05/11/2019)

Order made in
CRL.O.P (MD) No.9103 of 2018
01.11.2019

VB(29.11.2019) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>