



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2019

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.5069 of 2016

Captain S.John Thambiraj

... Petitioner/Defacto
Complainant

-vs-

1.The Superintendent of Police,
Tuticorin District.

2.The Inspector of Police,
District Crime Branch (ALGSC)
Tuticorin District.

3.The Inspector of Police,
CBCID,
Tuticorin District.

... Respondents/Complainants

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to transfer the investigation to Inspector of Police CBCID, Tuticorin District the third respondent herein in Crime No.6 of 2016 on the file of the second respondent police.

For Petitioner : Mr.S.Siva Thilakar

For R1 to R3 : Mr.A.Robinson
Government Advocate (Crl.side)

O R D E R

The petitioner owns the property in S.No.213/2, measuring an extent of 2 acres 97 cents in Maravanmadam Village, Tuticorin Taluk and District. The property was assigned to the petitioner way back in the year 1975. It appears that by committing impersonation, this property was sought to be grabbed by the accused. A forged and fabricated sale deed dated 03.06.2011 was also presented and was registered. It is further alleged that one another fraudulent sale deed dated 04.04.2014 was also registered. The petitioner filed a complaint before the second respondent for the allegations. Though the First Information Report was registered, no action was taken. Therefore, this Criminal Original Petition came to be filed seeking transfer of investigation.



2.I am of the view that the second respondent himself can investigate the matter and file a final report. It is beyond dispute that impersonation and forgery has been committed in this case.

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3.The learned Government Advocate submitted that a positive final report will be filed as early as possible. Even while mandating the second respondent to file a final report, I would expect the second respondent to file such a report within a period of 10 weeks from the date of receipt of a copy of this order. After such report is filed, the jurisdictional Magistrate shall take cognizance of the same without any delay and take the proceedings to its logical conclusion as expeditiously as possible.

4.With these directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Crl.Side)

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/ /2020

Sub Assistant Registrar(CS)

pnn

To

1.The Superintendent of Police,
Tuticorin District.

2.The Inspector of Police,
District Crime Branch (ALGSC), Tuticorin District.

3.The Inspector of Police,
CBCID, Tuticorin District.

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

Crl.O.P. (MD)No.5069 of 2016
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AP(03/06/2020) 2P 5C