



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

Cr1.O.P. (MD) No.14422 of 2019

WEB COPY

S.Sridhar

...Petitioner

Vs.

1. The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai-4

2. The Superintendent of Police
Karur, Karur District

3. The Superintendent of Police
CBCID, Chennai

4. The Inspector
CBCID, Karur District
Karur District

5. The Inspector of Police
District Crime Branch
Karur, Karur District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st Respondent police to direct the 2nd Respondent police to transfer the investigation in Cr.No.13/2019 on the file of the 5th Respondent to 3rd Respondent herein and direct him to complete investigation within a time frame.

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.J.Jeyakumaram

For Respondents : Mr.K.Suyambulinga Bharathi
Nos 1 to 5 Government Advocate(Cr1.Side)

ORDER

This petition has been filed seeking direction to direct the 1st respondent police to direct the 2nd respondent police to transfer the investigation in Cr.No.13/2019 on the file of the 5th respondent to 3rd respondent herein and direct him to complete investigation within a time frame

2. The learned Senior Counsel appearing for the petitioner would submit that on the complaint lodged by the petitioner a case



has been registered in Crime No.13 of 2019 for the offence under Sections 406,420 and 506(i) of IPC as against the accused persons. Infact for the very same business the accused persons also lodged complaint before the District Crime Branch,Trichy, as against the petitioner and another and the same was registered in Crime No.47 of 2018, which is pending for investigation. The fifth respondent did not even examine the petitioner even till today for the reason that the petitioner has sent report making so many allegations against the Investigating Officer. If the investigation continues with the file of the fifth respondent, the petitioner could not get fair justice.

3. The learned Government Advocate(Crl.Side) filed status report that on the complaint lodged by the petitioner, the respondent police registered a case in Crime No.13 of 2019 for the offence under Sections 406,420 and 506(i) of IPC as against the accused persons. The investigating officer started investigating officer started investigation and issued summons to the persons and examined some of the persons and recorded their statements under Section 161(3) Cr.P.C. Special team was also formed to secure the accused who involved in the crime and the fifth respondent is also making effective steps to secure the accused persons. However he submitted that the respondent police concluded the trial in Crime No.13 of 2019.

4. Heard Mr.V.Kathirvelu,learned Senior Counsel appearing for the petitioner and Mr. K.Suyambulinga Bharathi learned Government Advocate(Crl.Side) appearing for the respondents.

5. It is seen from the status report produced by the respondent that after registering the case they examined so may witnesses and also conducted investigation in crime No.13 of 2019. Under such circumstance the transfer of investigation would affect the entire investigation. Hence the Criminal Original Petition is dismissed. Further the fifth respondent is directed to complete the investigation after examining the petitioner and the accused persons and record their statements and complete the investigation and file final report before the concerned court within a period of twelve weeks from the date of receipt of a copy of this order. However the second respondent is directed to monitor the investigation done by the fifth respondent and also ensure that the fifth respondent shall complete the investigation and file final report as per the order passed by this Court.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai-4
2. The Superintendent of Police
Karur, Karur District
3. The Superintendent of Police
CBCID, Chennai
4. The Inspector
CBCID, Karur District
Karur District
5. The Inspector of Police
District Crime Branch
Karur, Karur District
- 6.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.14422 of 2019
01.11.2019

TR(18.11.2019) 3P 7C