

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. No. 1432 of 2020

K.Gokulakannan

.. Petitioner

Vs

1. The State

Represented by District Crime Branch,
Erode.
(Cr. No. 20/2019)

2. Inspector of Police,
CBCID, Erode.

3. The Superintendent of Police,
Erode.

.. Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation in Crime No. 20/2019 pending on the file of First Respondent Police, District Crime Branch, Erode to the file of Second Respondent Police, Inspector of Police, CBCID for proper investigation.

For Petitioner : Mr.R.Thirumoorthy

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

ORDER

This petition has been filed for transfer of investigation in Crime No. 20 of 2019 from the file of the First Respondent to the file of the Second Respondent.

2. The learned counsel for the Petitioner submitted that the ground, cheating amount is morethan Rs.35 crores and also the First Respondent did not even taking accused for custodial interrogation to recover the amount. Further, it is submitted that some of the accused persons approached this court for Anticipatory Bail and thereafter this Court has not grant Anticipatory Bail, and the accused persons were withdrawn their application. Considering the said fact, granting of Anticipatory Bail before the District Crime Branch and the same has been remitted without any objection by the First Respondent (District Crime Branch). Therefore, he

sought for transfer of investigation.

3. Per contra, the learned Additional Public Prosecutor filed counter and circular that there are totally 11 accused persons in which 6 accused persons are arrested by the Inspector of Police, Erode (Second Respondent) and remaining 4 accused persons obtained anticipatory bail. Insofar, more than 8 vehicles seized from the accused persons and they are about to complete the investigation. Therefore, at this stage, the transfer of investigation would affect the entire investigation. Therefore, the transfer of investigation cannot be considered. However, the First Respondent is directed to file a final report within a period of 12 weeks (3 months) from the date of receipt of a copy of this order. The Third Respondent is directed to monitor the investigation done by the First Respondent and also ensure that the First Respondent is complete the investigation and file a final report within a period of 12 weeks (3 months).

4. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

arb

To

1. The District Crime Branch,
Erode.
2. Inspector of Police,
CBCID, Erode.
3. The Superintendent of Police,
Erode.
4. The Public Prosecutor,
High Court, Madras.

+3cc to Mr.A.Shaik Pareeth, Advocate, S.R.No. 24046

CrI.O.P. No. 1432 of 2020

RK (CO)
GN (06/08/2020)