

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Criminal Original Petition No.32679 of 2013
and M.P.No.1 of 2013

1.P.Sathish @ Sakthi Sathish,
2.B.Srinivasan,
3.Jeyasuresh Jayaraj,
4.W.Antony Suresh Moses,
5.K.S.Jayakumari. Petitioners

-vs-

1.State through
The Sub-Inspector of Police,
District Crime Branch,
Perambalur,
Perambalur District.
(Crime No.15 of 2013).
2.K.Vasavi ...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to pass an order calling for the records in Crime No.15 of 2013, now pending investigation on the file of the 1st Respondent Police and quash the same.

For Petitioners : Mr.R.Ganesh Kumar

For Respondents : Mr.R.Ravichandran for R1
Government Advocate (Crl.side)
Mr.S.Saravanan for R2

O R D E R

The 1st respondent registered a case in Crime No.15 of 2013 as against the petitioners, for the offence under Section 406, 468, 471 and 420 of IPC, based on the complaint given by the 2nd respondent. Pending investigation, the petitioners have filed the present petition to invoke Section 482 Cr.P.C., to quash the complaint as against them.

2.When the matter is taken up for hearing on 27.01.2010, the learned Government Advocate is directed to file a status report. Accordingly, the status report has been filed today i.e.05.02.2020.

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

3.On reading of the status report, this Court is not satisfied with the performance of the respondent Police. Already, the 1st respondent Police closed the case as "further

action dropped" and filed the report before the learned Judicial Magistrate, Perambalur, on 24.02.2016. On a perusal of report and the records, the learned Magistrate, by an order dated 15.05.2017, has directed the investigation officer to re-investigate the matter and to file a proper final report after conclusion of proper investigation. Even after passing of two years from the order of the Magistrate, till now they have not completed the re-investigation and seeks further time to complete the investigation. This Court condemns the attitude of the first respondent Police. If this Court allows to the 1st respondent Police to continue the investigation, one cannot expect fair investigation. Therefore, this Court Suo-motu transfers the case in Crime No.15 of 2013, pending on the file of the Sub-Inspector of Police, District Crime Branch, Perambalur to CBCID, Ariyalur District.

4.The Sub-Inspector of Police, District Crime Branch, Perambalur, is hereby directed to handover the entire papers with regard to Crime No.15 of 2013 to the CBCID, Ariyalur District. On receipt of the entire papers, the CBCID, Ariyalur, is directed to investigate the matter immediately and to file a charge sheet before the learned Judicial Magistrate, Ariyalur, within a period of four months from the date of receipt of copy of this order and to file a compliance report before this Court.

5.With the above directions, this Criminal Original Petition is disposed of. Connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Rm

To

1.The Judicial Magistrate,
Ariyalur.

2.The Inspector of Police,
CBCID,
Ariyalur District.

3.The Superintendent of Police,
Ariyalur District.

4.The Sub-Inspector of Police,
District Crime Branch,
Perambalur,
Perambalur District.
(Crime No.15 of 2013).

5.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.R.Ganesh Kumar, Advocate, S.R.No. 9408, 7048
+1cc to Mr.S.Saravanan, Advocate, S.R.No. 9418

Cr1.O.P. No.32679 of 2013

VG II(CO)
GN(10/03/2020)



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