

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.2801 of 2020

1. S.Parasakthi
 2. Kumudham
 3. Suresh
 4. Dhandavamoorthy @ Pachaiyappan
 5. Ramanujam
 6. Sumathi
 7. Munusamy
 8. Balu
 9. K.Munusamy
- Petitioners

Vs.

1. The Superintendent of Police,
Villupuram District,
Villupuram.
 2. The Inspector of Police,
District Crime Branch,
Villupuram, Villupuram District.
 3. The Inspector of Police,
CBCID, Villupuram,
Villupuram District.
 4. Lakshmi
- ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to transfer the investigation in Cr.No.13 of 2019 on the file of the Inspector of Police, District Crime Branch, Villupuram, Villupuram District the second respondent herein to the file of the Inspector of Police, CBCID, Villupuram, Villupuram District the third respondent herein.

For Petitioners : Ms.R.Hemalatha
for Mr.C.Prakasam

For Respondents : Mr.M.Mohamed Riyaz
(for R1 to R3)
Additional Government Pleader

O R D E R

This petition has been filed to direct the first respondent to transfer the investigation in Cr.No.13 of 2019 from the file of the Inspector of Police, District Crime Branch, Villupuram, Villupuram District the second respondent herein to the file of the Inspector of Police, CBCID, Villupuram, Villupuram District the third respondent herein.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first to third respondents.

3. The learned counsel for the petitioners has submitted that the petitioners are affected persons on the hands of the fourth respondent and her family members. She further submitted that the fourth respondent and her family members have collected money from the village people to the tune of Rs.10/- Crores (Rupees Ten Crores only) and subsequently cheated all the people but the second respondent is going to file charge sheet only in respect of Rs.26,50,000/- (Rupees Twenty Six Lakhs Fifty Thousand only). Hence she requests to transfer the investigation to the third respondent.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 has submitted that already investigation has been completed and charge sheet was also filed before the Judicial Magistrate No.II, Tindivanam vide FR No.21 of 2019 dated 13.09.2019 but the said charge sheet was not taken on file. He further submitted that since already charge sheet has been filed, question of transfer of the investigation does not arise.

5. Recording the submissions of the learned Additional Public Prosecutor submitted that already investigation has been completed and charge sheet also has been filed, this petition is closed. The learned Judicial Magistrate No.II, Tindivanam is directed to verify if any such charge sheet is filed and if it is in order that should be taken on file without any further delay. It is open to the petitioners to file protest petition before the concerned Judicial Magistrate.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

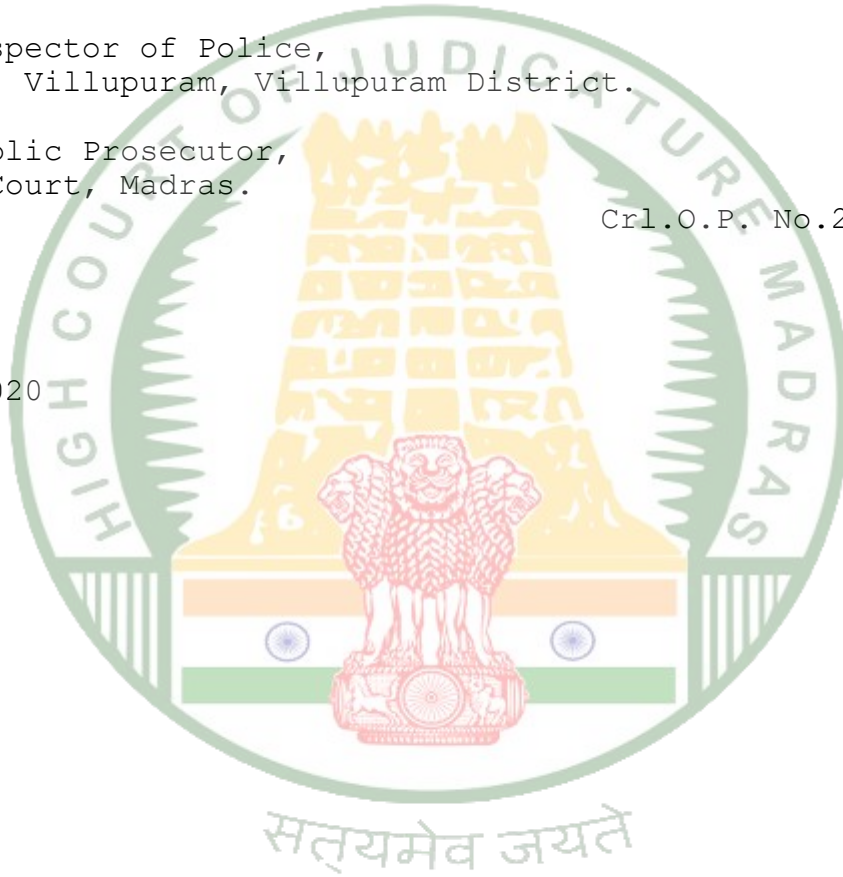
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To

1. The Judicial Magistrate No.II,
Tindivanam.
2. The Superintendent of Police,
Villupuram District, Villupuram.
3. The Inspector of Police,
District Crime Branch,
Villupuram, Villupuram District.
4. The Inspector of Police,
CBCID, Villupuram, Villupuram District.
5. The Public Prosecutor,
High Court, Madras.

Crl.O.P. No.2801 of 2020

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