

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9680 of 2018
and
Crl.M.P.No.4985 of 2018

C.D.Senguttuan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Central Crime Branch, Team - II,
Chennai.
Crime No. 4 of 2017.

2.Abhaya Jayaraman

...Respondents

[Second respondent is impleaded on suo-motu as per the order of this Court dated 04.06.2018 made in Crl.O.P.No.9680 of 2018]

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to transfer the investigation of the case registered in Crime No. 4 of 2017 on the file of the first respondent herein to some other appropriate investigating agency more preferably to CBCID.

For Petitioner : M/s.M.F.Shabana

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to transfer the investigation of the case registered in Crime No. 4 of 2017 on the file of the first respondent herein to some other appropriate investigating agency more preferably to CBCID.

2 Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3 The learned counsel appearing for the petitioner would submit that second respondent has lodged a complaint before the first respondent police, alleging that the

petitioner had masterminded the crime and fabricated the documents. Based on the complaint lodged by the second respondent, the first respondent has registered a case in FIR.No.4 of 2017, on 04.02.2017, for the offence under Sections 419, 420, 465, 467, 468, 471 & 34 of IPC and the investigation has been pending. Hence, the petitioner has sought for transfer of Investigation.

4 The learned Additional Public Prosecutor would submit that now almost the investigation has been completed and at this stage, the transfer of investigation would effect the entire investigation.

5 Considering the above facts and circumstances, at this stage, transfer of investigation cannot be considered. Therefore, this Court is not inclined to transfer the investigation in Cr.No.4 of 2017. However, the first respondent is directed to complete the investigation and file a final report within a period of twelve weeks from the date of receipt of a copy of this order before the concerned jurisdictional Court.

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

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Central Crime Branch, Team - II,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+3cc to Mr.M.F.Shobana, Advocate, S.R.No. 21980

CRL.O.P.No. 9680 of 2018

RK(CO)
GN(16/07/2020)