



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6959 of 2020
and Crl.M.P.No.3797 of 2020

Abishek

...Petitioner

-Vs-

- 1.The Commissioner of Police,
Office of the Commissioner of Police
Vepery, Chennai - 600 007.
- 2.The Deputy Commissioner of Police
Office of the Deputy Commissioner of Police
Ambattur, Chennai.
- 3.The Inspector of Police
All Women Police Station, Poonamallee
Ambattur, Chennai.
(Crime No.21 of 2019)
- 4.The Inspector of Police
CBCID, SIDCO Electronics Complex
Block No.3, 1st Floor
Guindy Industrial Estate
Chennai - 600 032.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 3rd respondent to transfer the case in Crime No.21 of 2019 on the file All Women Police Station, Poonamallee, Ambattur, Chennai to 4th respondent i.e., the Inspector of Police, CBCID, SIDCO Electronics Complex, Block No.3, 1st Floor, Guindy Industrial Estate, Chennai - 600 032, for fair investigation.

For Petitioner : Mr.D.Veerasekharan

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 3rd respondent to transfer the case in Crime No.21 of 2019 on the file All Women Police Station, Poonamallee, Ambattur, Chennai to 4th respondent i.e., the Inspector of Police, CBCID, SIDCO Electronics Complex, Block No.3, 1st Floor, Guindy Industrial Estate, Chennai - 600 032, for fair investigation.



2.The learned counsel for the petitioner would submit that the marriage between the petitioner and the 1st accused was solemnized under Hindu Rites and Customs Act on 10.03.2019. Thereafter, the 1st accused cheated the petitioner and got married with other person. Therefore, the petitioner has lodged a complaint and the same has been registered in Crime No.21 of 2019 for the offences punishable under Sections 495, 406, 420, 506 (2) and 120 IPC. Thereafter, the 3rd respondent has not conducted enquiry upon the complaint and the complaint has become a cold storage. So that the petitioner has submitted his representation to the higher authorities. Even then, the 3rd respondent has not take any action to complete the investigation. Therefore, the petitioner sought for change of investigating agency from 3rd respondent to the file of 4th respondent.

3.The learned Additional Public Prosecutor would submit that because of the Covid-19 pandemic, the 3rd respondent did not complete the investigation and it is pending.

4.Considering the facts and circumstances of the case, the transfer of investigating agency will spoil the entire investigation, already done by the 3rd respondent. However, the 3rd respondent is directed to complete the investigation and file the final report within a period of four months from the date of receipt of a copy of this order. Further, the 2nd respondent/The Deputy Commissioner of Police, Ambattur, Chennai, is directed to monitor the investigation done by the 3rd respondent and also ensure that the 3rd respondent shall comply with the directions issued by this Court.

5. With the above direction, the Criminal Original Petition is disposed off. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Office of the Commissioner of Police
Vepery, Chennai - 600 007.



2.The Deputy Commissioner of Police
Office of the Deputy Commissioner of Police
Ambattur, Chennai.

3.The Inspector of Police
All Women Police Station, Poonamallee
Ambattur, Chennai.

4.The Inspector of Police
CBCID, SIDCO Electronics Complex
Block No.3, 1st Floor
Guindy Industrial Estate
Chennai - 600 032.

5.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.6959 of 2020
and CrI.M.P.No.3797 of 2020

VG I(CO)
GMY(14/07/2020)