

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2020

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.7622 of 2020

E. Kandhan

...Petitioner

Vs.

1. The Deputy Commissioner of Police,
Central Crime Branch 1,
Office of the Commissioner of Police,
Vepery, Chennai 600007
2. The Assistant Commissioner,
Central Crime Branch 1,
Office of the Commissioner of Police,
Vepery, Chennai 600007. ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. Seeking direction to transfer the investigation in Cr.No.156 of 2019 pending on the file of the second respondent to the file of the first respondent and consequently direct the first respondent to complete the investigation within a time frame to be fixed by this Court.

For Petitioner : Mr.Sharath Chandran
for Mr. Govind Chandrasekar

For Respondents : Mrs. Kiruthiga Kamal
Government Advocate(crl.side)

ORDER

This petition has been filed for transfer of investigation to some other investigation agency.

2. The main grievance of the petitioner is that the Investigating Officer has colluded with the accused and as a result of which, he was placed under suspension. Therefore, his contention is that the investigation has been compromised and there are many materials to be unearthed. Further, there are nearly 300 depositors who have been induced to invest the money. In such view of the matter, the investigation has to be handed over to some other agency for fair investigation.

3. The learned Government Advocate submitted that the
<https://hcservices.ecourts.gov.in/hcservices/>

Investigating Officer has been suspended for some other charges on the date of retirement and it has no connection with the investigation. However, it is her contention that now the investigation has been conducted by some other Assistant Commissioner, namely one Gowtham and the investigation is going in the right direction. Hence, opposed for transfer of investigation to some other agency.

4. Having regard to the above facts, since the main grievance of the petitioner that the previous Investigating Officer has not done proper investigation and he was placed under suspension and now the investigation has been taken over by the some other Investigating Officer and the investigation is in progress, this Court is of the view that instead of transferring the investigation to some other investigating agency, direct the first respondent to monitor the investigation done by the new Investigating Officer to ensure that the investigation is done in a fair manner.

5. With the above observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vrc/ggs

To

1. The Deputy Commissioner of Police,
Central Crime Branch 1,
Office of the Commissioner of Police,
Vepery, Chennai 600007.
2. The Assistant Commissioner,
Central Crime Branch 1,
Office of the Commissioner of Police,
Vepery, Chennai 600007.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.7622 of 2020

RLD(CO)
GN(22/07/2020)