

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

Cr1.O.P.No.33359 of 2019

P. Palraj M/A,
Padiya Devar,
Devarkulam,
Sangarankoil Taluk,
Thirunelveli District.

..Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai
EVK Sampath Salai, Vepery,
Chennai - 600 007.
2. The Deputy Commissioner of Police,
Greater Chennai, Chennai District.
3. The State by Inspector of Police,
Central Crime Branch - I,
Chennai District
Crime No.41 of 2019

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation in Crime No. 41 of 2019 pending on the file of the 3rd respondent to any other investigating agency.

For Petitioner : M/s. R. Shase

For Respondents : Mr.S. Karthikeyan
Additional Public Prosecutor

O R D E R

(This case has been heard through video conferencing)
The Criminal Original Petition has been filed praying to transfer the investigation in Crime No. 41 of 2019 pending on the file of the 3rd respondent to any other investigating agency.

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

3. Today, when this petition came up for hearing, the learned counsel for the petitioner would submit that after registering the case in Crime No.41 of 2019, the 3rd respondent has not investigated in this regard. Further he would submit that till now, the respondent police has not identified the culprits who were involved in the alleged offence. Therefore, it is necessary to transfer the case to any other agency.

4. On the other hand, the learned Additional Public Prosecutor for the respondents 1-3 by filing the Status Report, on instruction would submit that upon the complaint given by the petitioner, a case has been registered in Crime No.41 of 2019 for the alleged money cheating to the tune of Rs.72 lakhs under Section 406, 420, 506(i) IPC r/w.34 IPC. The aforesaid money transaction has happened directly without any document. Therefore, it was very difficult to identify the real culprits. However, as of now, during the time of investigation, the 3rd respondent has identified 5 persons in which two persons have absconded. In respect of other 3 accused, summons had been issued U/s.41(A) Cr.P.C. directing them to appear before the investigating officer for the purpose of enquiry and their statements were also recorded. A special team has also been formed to trace out the absconding two persons. Thus, investigation in the aforesaid Crime No.41 of 2019 has been progressing without any delay. However, he would further submit on instruction that it is also very difficult to find out correct culprits as the amount has been paid to the alleged parties without any due and proper documents.

5. Having considered the facts and circumstances of the case and submissions made by the learned counsel on either side, the Assistant Commissioner, EDF-II, CCB, Chennai is directed to monitor the investigation of the case and the 3rd respondent is directed to complete the inquiry under the supervision of the Assistant Commissioner, EDF-II, CCB, Chennai, within a period of three weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

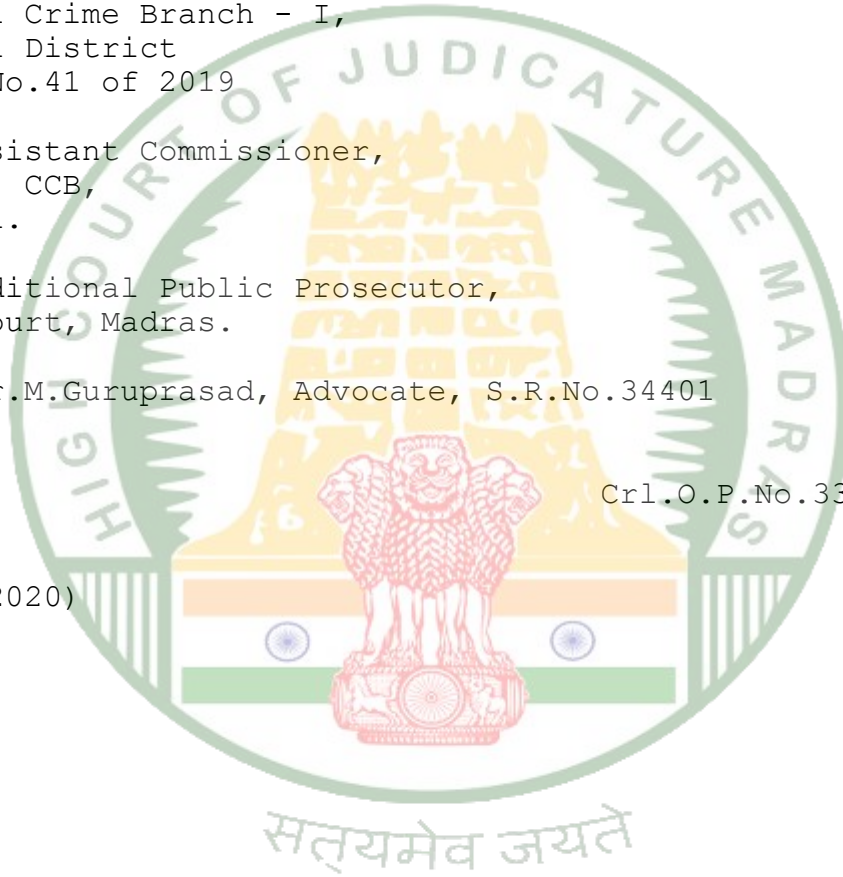
To:

1. The Commissioner of Police,
Greater Chennai
EVK Sampath Salai, Vepery,
Chennai - 600 007.
2. The Deputy Commissioner of Police,
Greater Chennai, Chennai District.
3. The State by Inspector of Police,
Central Crime Branch - I,
Chennai District
Crime No.41 of 2019
4. The Assistant Commissioner,
EDF-11, CCB,
Chennai.
5. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.34401

CrI.O.P.No.33359 of 2019

RLD(CO)
RV(07/12/2020)



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