



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P.[MD]No.9541 of 2020

Habeep Rahman

... Petitioner / De facto Complainant

Vs.

- 1.The Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
Anna Nagar Sub Division, Madurai City.
- 3.The Inspector of Police,
Central Crime Branch, Madurai City.
- 4.The Inspector of Police,
Anna Nagar Police Station, Madurai City.
(Crime No.912 of 2019) ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation of the case in Crime No.912 of 2019, on the file of the fourth respondent or to the third respondent or any other competent investigating agency and to file final report within the time period that may be stipulated by this Court.

For Petitioner	: Mr.V.Vishnu
For Respondents	: Mr.S.Chandrasekar
	Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking a direction to direct the first respondent to withdraw the investigation in Crime No.912 of 2019, pending on the file of the fourth respondent and entrust the same to the third respondent or to any other competent Investigating Agency for proper investigation and file a final report.

2. Though the Criminal Original Petition has been filed seeking for the relief to transfer the investigation in Crime No.912 of 2019, when the petition is taken up for hearing today, the learned counsel appearing for the petitioner made a submission as it would suffice to direct the second respondent to monitor the investigation in connection with Crime No.912 of 2019, pending on the file of the fourth respondent.

3. In this regard, the learned Additional Public Prosecutor appearing for the respondents 1 to 4, on instructions, would submit that the case has been registered in the year 2019, so far none of



the accused had been arrested by the fourth respondent Police and therefore, the fourth respondent Police is not in a position to complete the investigation so far.

4. Upon considering the arguments advanced by either side, it would be relevant to see the nature of the offence added by the accused actually, the case has been registered against the accused for the offence punishable under Sections 120(b), 406, 420, 468, 477 and 506 (i) of I.P.C. In the alleged occurrence, by giving a false assurance, the accused received a sum of Rs.2,20,000/- from the *de facto* complainant. Therefore, in order to recover the said amount, it is necessary to interrogate with the accused, who are all involved in the alleged offence. Therefore, it would be appropriate to direct the second respondent to monitor the investigation to be done by the fourth respondent in Crime No.912 of 2019, dated 05.09.2019, as per law.

5. In view of the above, the Criminal Original Petition stands disposed of, with a direction to the second respondent to monitor the investigation to be done by the fourth respondent in Crime No.912 of 2019, dated 05.09.2019, as per law.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
Anna Nagar Sub Division, Madurai City.
- 3.The Inspector of Police,
Central Crime Branch, Madurai City.



4.The Inspector of Police,
Anna Nagar Police Station, Madurai City.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(22.09.2020) 3P 6C