



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD) No.20596 of 2016

and

Cr1.M.P. (MD) No.10475 of 2016

Kuralrajan

... Petitioner

-vs-

1.The Director General of Police,
Law and Order, Chennai.

2.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

3.The Superintendent of Police,
CBCID, Chennai.

4.State represented by
The Inspector of Police,
Soolakarai Police Station,
Virudhunagar.
(Now Crime No.49 of 2015 is pending
before respondent)

5.State represented by
The Inspector of Police,
Bazaar Police Station,
Virudhunagar,
(Crime No.49 of 2015)

... Respondents

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to direct the respondents to change the investigation of the case in Crime No.49 of 2015 on the file of the 4th respondent to the third respondent for investigation in accordance with law.

For Petitioner : Mr.G.Mariappan

For Respondents : Mr.A.Robinson
Government Advocate (Cr1.side)



ORDER

Heard the learned counsel on either side.

2.The petitioner wants transfer of investigation. The petitioner is the defacto complainant in Crime No.49 of 2015 registered on the file of Soolakkarai Police Station. The case is being investigated by the Inspector of Police, Soolakkarai Police Station, Virudhunagar. The petitioner has serious misgivings over the manner of investigation. For instance, the principal accused are yet to be apprehended. According to the petitioner, they are presently abroad and even look out circular has not been issued sofar.

3.I am of the view that the petitioner's contentions have considerable force and merit. He also would contend that apart from him, a number of other persons have also been cheated by the accused and that the magnitude of the offence will be around Rs.20 Crores.

4.Taking note of all these facts, I direct transfer of investigation of this case from the file of the Inspector of Police, Soolakkarai Police Station to the Inspector of Police, District Crime Branch, Virudhunagar District. The petitioner is permitted to submit a memorandum to the Inspector of Police, District Crime Branch, Virudhunagar District, setting forth his concerns and grievances. The Investigation Officer will fully address them. The entire investigation will be personally monitored by the Superintendent of Police, Virudhunagar.

5.It is made clear that the final report will have to be filed within a period of three months from the date of receipt of a copy of this order. The fourth respondent is directed to hand over the case files to the Inspector of Police, District Crime Branch, Virudhunagar District forthwith and without any delay. The Superintendent of Police, Virudhunagar District is directed to issue proceedings instructing the fourth respondent / the Inspector of Police, Soolakkarai Police Station to hand over the case files to the Inspector of Police, District Crime Branch, Virudhunagar District.

6.Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar(CS)

// True Copy //



To

1. The Director General of Police,
Law and Order, Chennai.

2. The Superintendent of Police,
Virudhunagar, Virudhunagar District.

3. The Superintendent of Police,
CBCID, Chennai.

4. The Inspector of Police,
Soolakarai Police Station,
Virudhunagar.

5. The Inspector of Police,
Bazaar Police Station, Virudhunagar.

6. The Inspector of Police,
District Crime Branch,
Virudhunagar.

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

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-8471[F] dated 26/02/2020)

Cr1.O.P. (MD) No.20596 of 2016
25.02.2020

pk(CO)

TR(28.02.2020) 3P 9C