



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.7999 of 2018

Mrs. Savithri, F/40 years
W/o. Lakshminarayanan
No.21, Sathya Nagar,
1st Street, Ekkatuthangal,
Guindy, Chennai - 600 032.

...Petitioner

Vs.

State Rep by
Inspector of Police,
J-3, Guindy Police Station,
Chennai.

...Respondent

Prayer:The Criminal Original Petition filed under Section 482 of Cr.P.C., to transfer the investigation of the case in Cr.No.14 of 2016 on the file of the 1st Respondent herein to CBCID or any other independent agency so as to have a fair and impartial investigation of the case in accordance with law.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking to transfer the investigation of the case in Cr.No.14 of 2016 on the file of the 1st Respondent herein to CBCID or any other independent agency so as to have a fair and impartial investigation of the case in accordance with law.

2. The case of the petitioner is residing at No.21,Sathya Nagar, 1st Street, Ekkatuthangal, Guindy, Cehnnai, her husband passed away in the year 2013 due to heart attack. Thereafter, one Mr.Arun Chinnaiya @ Mahasai Arun came as a tenant under he petitioner, at that time,the petitioner lived with her children, and the said Arun Chinnaiya @ Mahasai Arun acted as very caring and taken care of child and also expressed that he is willing to marry her on the basis of false representation. Further, A1 had borrowed a sum of Rs.4,40,000/- and 128 grams totally worth



about of Rs.60,00,000/- from the petitioner. Thereafter, the said Arun Chinnaiya @ Mahasai Arun/A1 had not returned the amount and jewels to the petitioner. Hence, the petitioner had filed a complaint before the law enforcing agency against A1. Initially, the law enforcing agency registered a case in C.S.R.No.1099 of 2015 on 14.12.2015. Thereafter the Inspector of Police, J-3, Guindy Police Station (Crime), Chennai has registered a case in Crime No.14 of 2016, under Sections 323, 417, 420, 506(ii) IPC and 4 of Tamil Nadu Woman Harassment Act on 03.01.2016. After registration of the case no progress was made till date. Hence, the present petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Government (Crl.side) Advocate appearing for the respondent.

4. The learned Government Advocate (Crl.Side) submitted that M/s.D.Malyni, the Inspector of Police, J-3, Guindy Police Station (Crime), Chennai is present before this Court and filed a counter affidavit in which, during the course of investigation, then the Inspector of Police got a secret information about the absconding accused A1 and other accused viz., Tmt.Lakshmi/A2 and Tr.Murugan @ Gottulu/A3, when they saw the police they tried to escape from the spot, at that time, both the accused were arrested on 18.02.2016 and recovered car bearing No.TN 09 BU 5218 and 2 gold chains worth about 10 sovereign which is under the custody of A2 and recorded seizure mahazar dated 18.02.2016. Further the respondent had recorded the statement and handed over the cash to the petitioner. Apart from that, the said property was returned under Section 451 of Cr.P.C before the trial Court.

5. Considering the facts and circumstances of the case, this Court issues a direction to the respondent police to complete the investigation and if necessary secure the custody accused/A1 within a period of eight weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

msrm



To

1. The Inspector of Police,
J-3, Guindy Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.7999 of 2018

NK (CO)
RGA (26/08/2021)