

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.7919 of 2021

M/s.Airzone Travels India,
Rep by P.K.Venkadesan,
No.18 New Bus Stand Compld,
Perundurai,
Erode District - 638052.

... Petitioner

Versus

1.The Superintendent of Police,
Erode District.

2.The Deputy Superintendent of Police,
Erode Rural Sub Division,
Perundurai,
Erode District.

3.The Inspector of Police,
Perundurai,
Erode District.

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation from 3rd respondent herein to CBCID in Crime No.808 of 2019 dated 25.12.2019, pending investigation on the file of 3rd respondent herein.

For Petitioner : Mr.G.Muthukumar

For Respondents: Mr.A.Damodaran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to transfer the FIR in Crime No.808 of 2019, dated 25.12.2019 from the file of the 3rd respondent to the file of CBCID.

2.The learned counsel for the petitioner submitted that even for registration of FIR on the complaint given by the petitioner, he approached this Court by way of filing a petition under Section 482 Cr.P.C., in Crl.O.P.No.20915 of 2019. After

getting order of this Court, the FIR in Crime No.808 of 2019 was registered by the 3rd respondent. In this case, the accused are powerful persons and hence, to stall the investigation, they have filed a Quash Petition in CrI.O.P.No.1447 of 2020 before this Court, in which, this Court by order dated 04.09.2020 directed the 3rd respondent to complete the investigation and file a final report within a period of twelve weeks. Despite the same, the investigation could not be completed and hence, he filed the above petition seeking transfer of investigation.

3.The learned Government Advocate (CrI. Side) appearing on behalf of the respondents submitted that on the point of jurisdiction, the FIR in Crime No.808 of 2019 has been transferred from the file of the Inspector of Police, Perundurai Police Station, Erode to the file of the Inspector of Police, Sulur Police Station, Coimbatore and renumbered as Crime No.218 of 2021 for offence under Sections 467, 465, 420 and 506(i) IPC. When the petitioner was called for enquiry, he did not show any response. Hence, the delay. If the petitioner appears and submits necessary documents, cooperates with the investigation, within a stipulated time the investigation can be completed.

4.The learned counsel for the petitioner submitted that the petitioner underwent bypass surgery and he is under medication. Hence, he seeks time for appearing before the Inspector of Police, Sulur Police Station, Coimbatore, for cooperating with the enquiry.

5.It is seen that on the point of jurisdiction, the FIR in Crime No.808 of 2019 has been transferred from the file of the Inspector of Police, Perundurai Police Station, Erode to the file of the Inspector of Police, Sulur Police Station, Coimbatore and renumbered as Crime No.218 of 2021 for offence under Sections 467, 465, 420 and 506(i) IPC.

6.In view of the further development and the petitioner underwent bypass surgery, this Court directs the petitioner to appear before the Inspector of Police, Sulur Police Station, Coimbatore on 14.07.2021 and 15.07.2021 and submit necessary documents. After receiving the documents, the Inspector of Police, Sulur Police Station, Coimbatore is to complete the investigation and file a final report within a period of three months. The Inspector of Police, Sulur Police Station, Coimbatore to give top priority to this case, since the case is pending for one reason or other right from the initial stage.

7.Since the transfer of investigation is informed today, it is not necessary to implead the Inspector of Police, Sulur Police Station, Coimbatore as one of the respondent. Anyhow considering the further development, this Court passes the above

directions to the Inspector of Police, Sulur Police Station, Coimbatore.

8. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

vv2

To

1. The Superintendent of Police,
Erode District.

2. The Deputy Superintendent of Police,
Erode Rural Sub Division,
Perundurai,
Erode District.

3. The Inspector of Police,
Perundurai,
Erode District.

4. The Inspector of Police,
Sulur Police Station,
Coimbatore.

5. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.7919 of 2021

UM(CO)
GN(13/07/2021)

WEB COPY