



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

CRL.O.P.NO.12329 OF 2021

P.Bagyalakshmi

... Petitioner

Versus

1. The Superintendent of Police,
O/o.Thiruvannamalai Superintendent of Police,
Thiruvannamalai District.
2. The Deputy Superintendent of Police,
O/o.Thiruvannamalai Deputy the Superintendent of Police,
Thiruvannamalai District.
3. The State Represented by
The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District,
Crime No.418 of 2021.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, transfer the investigation in Crime No.418 of 2021 pending on the file of the 3rd respondent to the file of some other competent agency and complete necessary action and to file a final report for the same.

For Petitioner : Mr.G.Viswanathan

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

O R D E R

This Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.418 of 2021 pending on the file of third respondent to any other competent investigating agency.

2. The learned counsel for the petitioner would submit that despite registration of F.I.R in Crime No.418 of 2021, the third respondent police have not taken any action in a right manner.



He would further submit that when the Tahsildar came to survey the said land the accused threatened the petitioner over phone and also demanded Rs.3 lakhs and the same was informed to the respondent police, however no action was taken till date. The learned counsel would further submit that the investigation has to be transferred to any other agency to ensure that a fair investigation is conducted in this case.

3.The learned Government Advocate (Crl.Side) for the respondents would submit that all the accused are absconding and the respondent police have not in a position to secure them.

4.Even though, the learned counsel for the petitioner would submit that the accused threatened the petitioner over phone and demanded Rs.3 lakhs, the respondent police are not in a position to secure them. Now a days all the technologies are developed, if the police officials wanted to secure the accused, they can do the same, however, in the present case, the respondent police have not shown any interest to act in an expeditious manner.

5.Considering the facts and circumstances of the case and also considering the reasons stated by the learned counsel for the petitioner, this Court directs the third respondent to handover the entire case diary in Crime No.418 of 2021 to the Inspector of Police, Cheyyar Police Station, Tiruvannamalai District within a period of one week from the date of receipt of copy of this order. The Inspector of Police, Cheyyar Police Station, Tiruvannamalai District, immediately on receipt of the case diary, shall commence the investigation in the above F.I.R and complete the same within a period of four months and a final report shall be filed before the concerned Court.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ms

To

1. The Superintendent of Police,
O/o.Thiruvannamalai Superintendent of Police,
Thiruvannamalai District.



2. The Deputy Superintendent of Police,
O/o.Thiruvannamalai Deputy the Superintendent of Police,
Thiruvannamalai District.

3. The Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.

4. The Inspector of Police,
Cheyyar Police Station,
Tiruvannamalai District.

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Viswanathan, Advocate, S.R.No.34503

CRL.O.P.No.12329 of 2021

GPL(CO)
CS/13/08/2021