



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14251 of 2021

M/s.K.C.Jewellers
Represented by its partner
Mr.N.Pavan Kumar,
No.50, N.S.C.Bose Road,
Sowcarpet, Chennai-600 001.

...Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Central Crime Branch,
Vepery, Chennai - 600 007.
3. The Inspector of Police,
Central Crime Branch - 1 (C.C.B-1),
Vepery, Chennai - 600 007.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to transfer the case in Crime No.99 of 2021 from the file of the Inspector of Police, Central Crime Branch - I (C.C.B-1), Vepery, Chennai - 600 007, i.e. the 3rd respondent to the any other police agency or to 2nd respondent for better and proper investigation or by any other appropriate authority as this Hon'ble Court deem fit in the proper in the circumstances of the case.

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

ORDER

The criminal original petition has been filed to transfer the case in Crime No.99 of 2021 from the file of the Inspector of Police, Central Crime Branch - I (C.C.B-1), Vepery, Chennai - 600 007, i.e. the 3rd respondent to any other police agency or to the 2nd respondent for better and proper investigation or by any other appropriate authority.



2.The petitioner, who is the partner of KC Jewellery, had lodged a complaint against one Suresh Kumar of SS Gold Works and Reshmi wife of the said Suresh Kumar of Reshmi Jewellery Works to the first respondent. After receiving the complaint, the first respondent had issued a receipt in CCB/Visitors/No.3363/2019 and the same had been forwarded to the second respondent for appropriate investigation. Thereafter, the second respondent has forwarded the same to the third respondent. Now, it is pending with the third respondent. Further, the third respondent had not taken any action on the abovesaid complaint. Hence, the petitioner was necessitated to file a petition before the CCB & CBCID Metropolitan Magistrate, Egmore, Chennai - 8, under Section 156 (3) Cr.P.C. and obtained the order on 23.03.2021. Thereafter only, FIR in Crime No.99 of 2021 came to be registered on 16.04.2021 but the respondent police viz, the Inspector of Police, CCB, Veppery, Team-II EDF has not conducted any investigation in this regard.

3.The learned Government Advocate (Crl.side) submits that in this case, on registration of the FIR, the petitioner was called for enquiry. The veracity of the complaint was verified and the documents were perused. Thereafter, Now, 41(a) notice has been issued against the named accused viz., Suresh Kumar and Reshmi and it is posted for enquiry today i.e. on 16.08.2021. Further, he submits that the third respondent police are taking effective steps for conducting the investigation on proper manner and FIR itself came to be registered during April, 2021. Thereafter, there was a lock down due to pandemic and now, investigation is in progress. He further submits that all the earnest steps would be taken by the third respondent police to conduct the investigation and complete the investigation within a stipulated time.

4.Recording the same, the criminal original petition is disposed of.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms



To

1. The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai - 600 007.
 2. The Deputy Commissioner of Police,
Central Crime Branch,
Vepery, Chennai - 600 007.
 3. The Inspector of Police,
Central Crime Branch - 1 (C.C.B-1),
Vepery, Chennai - 600 007.
 4. The Public Prosecutor,
High Court, Madras.
- +1 cc to Mr.A.Ilayaperumal, Advocate Sr.No.40688

CRL.O.P.No.14251 of 2021

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NSK 20/09/2021