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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM :

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Cr1.O.P.No.18375 of 2021

Raji ... Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police,
Villupuram,
Villupuram District.

2.Inspector of Police,
District Crime Branch,
Villupuram District.

... Respondents/Complainant

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to pass an order to transfer the investigation of the above said case in Cr.No.26 of 2021 on the file of the respondent herein viz., the Inspector of Police, District Crime Branch, Villupuram, and to transfer the same to the Superintendent of Police, CBCID, Villupuram, Villupuram District.

For Petitioner : Mr.K.Balu

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to transfer the investigation of the case in Crime No.26 of 2021 on the file of the respondent herein, viz., the Inspector of Police, District Crime Branch, Villupuram, to the file of the Superintendent of Police, CBCID, Villupuram, Villupuram District.



2.The petitioner/de facto complainant in Crime No.26 of 2021 registered for the offences under Sections 294(b), 420, 423, 468, 471 & 506(1) IPC and Section 82(a) of the Registration Act, 1908, has filed this petition, seeking for transfer of investigation.

3.The contention of the petitioner is that the accused persons have fabricated documents and sold out his property. Further, due to the inaction of the respondent police, the accused persons have become emboldened and are threatening the petitioner and his family members and forced the petitioner to vacate the property.

4.The learned counsel for the petitioner submitted that the respondent Police never enquired into the petition nor collected any materials and no worthwhile investigation is being conducted and hence, sought for transfer of investigation.

5.The learned Additional Public Prosecutor, appearing for the respondents, submits that, in this case, A1 died, and as regards A2, he was arrested and bail was granted by the lower Court, and thereafter, the accused persons A3 to A6 had approached the lower Court and had obtained Anticipatory Bail and are complying with the conditions. He further submits that, documents are to be sent for Forensic Study and the investigation is at its right pace and soon, charge sheet is to be filed, in any event, it will be filed within a period of six months and this six months would be the outer limit and the charge sheet will be filed as soon as the Forensic Report is received.

6.Heard the learned counsel on either side and perused the materials available on record.

7.Considering the submissions and finding that one of the accused has been arrested and granted bail and other accused have obtained Anticipatory Bail, and also considering the submissions of the learned Additional Public Prosecutor that the documents have been collected and are to be sent to the Forensic Sciences Department and after getting the Forensic Report, final report would be filed in this case, which according to the prosecution, can be filed within a period of six months and the investigation is proceeding in the right direction, this Court



directs the respondent Police to file the final report within an outer limit of six months from the date of receipt of a copy of this order and the submissions of the learned Additional Public Prosecutor are recorded.

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

Sd/-
Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Villupuram,
Villupuram District.

2.The Inspector of Police,
District Crime Branch,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

Cr1.0.P.No.18375 of 2021

RGN(CO)
B.VC (28/10/2021)