



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.22176 OF 2021

Vijay Anand

... Petitioner

Versus

1. The Superintendent of Police,
Kanchipuram District.
2. The Inspector of Police,
Baluchetty Chatram Police Station,
Kanchipuram District.
(Crime No.946 of 2021)
3. The Inspector of Police,
Central Crime Branch/CBCID,
Office of the Commissioner of Police,
Veppery,
Chennai - 600 007.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.946 of 2021, on the file of the 2nd Respondent Police to the 3rd Respondent herein - Central Crime Branch/CBCID, Office of the Commissioner of Police, Chennai.

For Petitioner : Mr.Arfat Mohammed A.

For Respondent : Mr.E.Raj Thilak,
Addl. Public Prosecutor.

ORDER

The petitioner, who is the defacto complainant in Crime No.946 of 2021, has filed this petition.

2.Despite the accused being involved in misappropriation and cheating to the tune of Rs.1,63,00,000/-, the respondent police seems to have not taken proper steps and allowed the accused to



flee away. In this case, A1 was arrested and he was granted bail.

3. Recording the same, the Sessions Court granted Anticipatory Bail to A2 to A5. The petitioner approached the 2nd respondent to inform about the whereabouts of the accused and to explain the modus used for committing the offence. The 2nd respondent seems to be not receptive, not taken steps and hence, the petitioner filed this transfer petition.

4. The learned Additional Public Prosecutor submitted that the Deputy Superintendent of Police, Kanchipuram, during the monthly review, found that several persons were involved in the offence to the tune of Rs.1,63,00,000/- and requires collection of documents from other agencies. Found that a specialized agencies to investigate, hence sent a communication dated 10.10.2021 seeking transfer of investigation from the file of the 2nd respondent to the District Crime Branch, Kanchipuram.

5. On the submission and on perusal of the materials available, it is seen that this case needs some specialized agencies to investigate the case to unearth the involvement of the other accused, collection of documents and some of the documents are to be sent to forensic examination, which the regular police may find it difficult with shortage of necessary expertise, complied with other regular station work.

6. In view of the same, this Court directs the investigation in Crime No.946 of 2021 pending before the 2nd respondent to be transferred to the Inspector of Police, District Crime Branch, Kanchipuram and the concerned Additional Superintendent of Police, District Crime Branch, Kanchipuram to monitor the progress of the investigation periodically, and ensure that final report is filed within a stipulated time, without delay, preferably within a period of 6 months from the date of receipt of this order.

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

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vkr/mpl



To

1. The Superintendent of Police,
Kanchipuram District.
2. The Inspector of Police,
Baluchetty Chatram Police Station,
Kanchipuram District.
3. The Inspector of Police,
Central Crime Branch/CBCID,
Office of the Commissioner of Police,
Veppery,
Chennai - 600 007.
4. The Additional Superintendent of Police,
District Crime Branch,
Kanchipuram.
5. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.A.Arfat Mohammed, Advocate, SR.NO.67188 (05/01/2022)

CRL.O.P.No.22176 of 2021

PL (CO)
PM/09/12/2021