



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.230 of 2021

S.Karpagam

...Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
K.Pudur Police Station,
Madurai City.

3.The Inspector of Police,
City Crime Branch,
Madurai City.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.1852 of 2020 on the file of the second respondent to the third respondent.

For Petitioner :Mr.K.Sathish Kumar
For Respondents :Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

O R D E R

This criminal original petition has been filed seeking a direction to the to transfer the investigation in Crime No.1852 of 2020 on the file of the second respondent to the third respondent.

2.The case of the petitioner is that he borrowed a sum of Rs.2,00,000/- from one Anjala as requested by one Sethupathy @ Sethuraman. Further the said Sethupathy @ Sethuraman borrowed a sum of Rs.70,000/- from the petitioner. Thereafter, when the petitioner requested the said Sethupathy @ Sethuraman to repay the amount, he along with two other persons threatened and attacked the petitioner and cheated her. Hence, the complaint was given by the petitioner before the second respondent and there was no progress in the said complaint and no case was registered. Hence, the petitioner filed a petition in Cr.M.P.No.837 of 2020 under Section 156(3) of Cr.P.C



before the learned Judicial Magistrate No.6, Madurai and the same was ordered. Only on that basis, a case in Crime No.1852 of 2020 was registered against three persons on 06.08.2020. Thereafter, the accused persons filed anticipatory bail application and the same was dismissed as against the Accused No. 1 and 2. During the course of investigation, the accused persons threatened the petitioner to withdraw the case. The petitioner sent a representation to the Deputy Commissioner of Police, Madurai on 20.10.2020. But no action was taken on the petitioner's representation. Even though the anticipatory bail application filed by the accused was dismissed, no action was taken by the respondent police to secure the accused. Therefore, the petitioner sent a representation to the first respondent on 11.12.2020 to secure the accused persons in Crime No.1852 of 2020 on the file of the second respondent, but there was no action. Hence, the petitioner filed this criminal original petition.

3.According to the learned Government Advocate(crl.side), accused Nos.1 and 2 were remanded to custody and A-3 name was deleted in the First Information Report, since she was only an employee under the said Sethupathy @ Sethuraman. Now, the investigation is almost completed and therefore, the question of transfer of investigation does not arise.

4.The submission made by the learned Government Advocate (crl.side) is placed on record.

5.Considering the facts and circumstances of the case, there shall be a direction to the second respondent herein to complete the investigation within a period of three months from the date of receipt of a copy of this order and file a final report before the concerned Court.

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

Sd/-

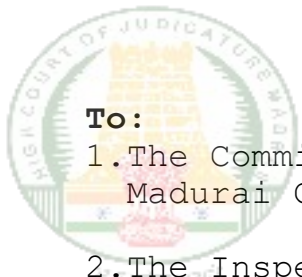
Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
K.Pudur Police Station,
Madurai City.
- 3.The Inspector of Police,
City Crime Branch,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Cr1.O.P. [MD]No.230 of 2021
23.04.2021**

RP (27.05.2021) P 5C