



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P. (MD)No.719 of 2021

Rajendran

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2.The Deputy Superintendent of Police,
District Crime Branch (Anti Land Grabbing Special Cell),
Theni, Theni District.

3.The Inspector of Police,
District Crime Branch (Anti Land Grabbing Special Cell),
Superintendent of Police Campus,
Theni.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the first respondent to transfer the investigation of the complaint dated 29.06.2020 lodged by the petitioner from the file of the second respondent police to any other police officer. On the basis of the representation given by the petitioner dated 2.1.2021.

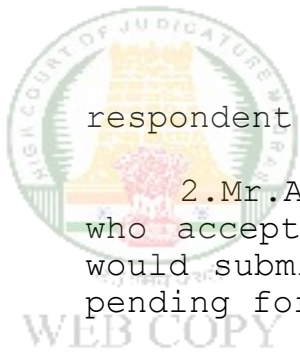
For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.A.Robinson

Government Advocate (Criminal side)

ORDER

The grievance of the petitioner is that one Rajan executed a power of attorney in favour of the petitioner on 08.05.2019, based on which, the petitioner executed a sale agreement in favour of a third party. His further contention is that the said Rajan, without cancelling the said power of Attorney, executed another sale deed in favour of one Pandian. According to the petitioner, though he lodged a complaint with the third respondent in this regard, the third respondent failed to take any action against the erring persons, till date. He therefore filed the present petition seeking for a direction to change the investigation from the second



respondent to any other Police Officer.

2.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents, on instructions, would submit that the complaint lodged by the present petitioner is pending for enquiry in Current Paper No.G2/19249/1266/2020.

3.From the materials available on record, the matter in issue between the petitioner and the third party seems to be purely civil in nature. However, the Police is directed to dispose of the complaint submitted by the petitioner within a period of three weeks from the date of receipt of a copy of this order based on findings and on merits uninfluenced by the observation made by this Court.

4.With the above observation, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// 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 Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
- 2.The Deputy Superintendent of Police,
District Crime Branch (Anti Land Grabbing Special Cell),
Theni, Theni District.
- 3.The Inspector of Police,
District Crime Branch (Anti Land Grabbing Special Cell),
Superintendent of Police Campus,
Theni.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

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(CO)
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