



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.8972 of 2021

and Crl.M.P(MD)No.4591 of 2021

Jeyalakshmi

... Petitioner/Defacto Complainant

Vs.

1.The State represented by
The Superintendent of Police,
Virudhunagar District,
Virudhunagar

2. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District
(Crime No.87 of 2021)

3.The Inspector of Police,
CBCID Wing,
Virudhunagar District.

... Respondents/Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.87 of 2021 from the file of the second respondent to the file of the third respondent and consequently direct the third respondent to conduct proper investigation in an expeditious manner and to file the final report within the stipulated period as prescribed by this Court.

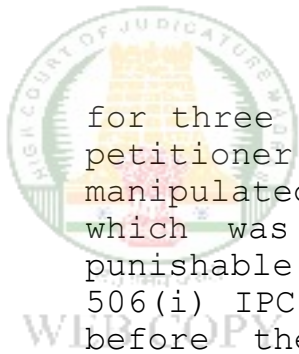
For Petitioner : Mr.M.Pitchai Muthu

For Respondents : Mr.R.M.Anbunidhi
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the respondents to transfer the investigation in Crime No.87 of 2021 from the file of the second respondent to the file of the third respondent and consequently direct the third respondent to conduct proper investigation in an expeditious manner and to file the final report within the stipulated period as prescribed by this Court.

2.The case of the petitioner is that the husband of the petitioner owned a property in Shop No.138 at Vadakkuraja Veethi, Srivilliputhur Town and the same was leased out to the first accused



for three years. Later her husband died. There was a request by the petitioner to vacate the premises and they refused and they also manipulated a lease agreement against which he preferred a complaint which was registered in Crime No.87 of 2021 for the offences punishable under Sections 294(b), 404, 406, 465, 467, 468, 471 and 506(i) IPC. Moreover, the accused have also filed O.S.No.13 of 2021 before the District Munsif Court, Srivilliputhur for specific performance and it is pending.

3. Now the grievance of the petitioner is that even though he has produced the relevant documents, the second respondent has not taken those documents into account for the purpose of investigation, only on that ground this petition has been filed.

4. The Additional Public Prosecutor submits that even though the case has been registered the petitioner has not properly cooperated and not produced relevant documents.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

6. With regard to production of documents before the police, the submission made by the learned Additional Public Prosecutor is contra to the submission of the learned counsel for the petitioner. In my considered view, the question of transfer of investigation does not arise in this case. Hence, the petitioner is directed to produce all the documents which are available with him to the second respondent herein for consideration. During the course of investigation, the second respondent shall receive all those documents and consider them on merits depending upon their genuineness.

7. With the above directions, this petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Virudhunagar District,
Virudhunagar

2.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District

3.The Inspector of Police,
CBCID Wing,
Virudhunagar District.

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

Crl.O.P. (MD)No.8972 of 2021

and

Crl.M.P (MD)No.4591 of 2021

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