



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4395 of 2022

S.Manimegalai

...Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Cuddalore District.

2.The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

3.The Inspector of Police,
CBCID, Cuddalore,
Cuddalore Division

...Respondents

PRAYER: The Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct the 1st Respondent to change the investigation in Crime No.1277 of 2021 pending on the file of the 2nd Respondent to the 3rd Respondent and investigate the same and file final report expeditiously.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed seeking for a direction to the 1st Respondent to change the investigation in Crime No.1277 of 2021 pending on the file of the 2nd Respondent to the 3rd Respondent and investigate the same and file final report expeditiously.

2. The case of the petitioner is that he had invested Rs.1,20,000/- in the real estate scheme, promoted by the accused in the name and style of V.J.Land Promoters in Sree Senthilvel Township. The first accused one Arul Kumar, is a practising Advocate at the combined Courts, Virudhachalam and he had prevented the respondent from registering the case. With more difficulties, the petitioner had got the case



registered against the accused. Even after the registration of the case, the first accused using his position as an advocate, was preventing the investigation being done in a proper manner. Moreover, the first accused's brother one Vijaya Kumar, who is an Additional Public Prosecutor in Additional Session Court, Cuddalore, preventing the investigation and thereby, the present petition has been filed seeking to transfer the investigation.

3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that on the complaint given by the petitioner in Crime No.1277 of 2021, a case was registered for the offences under Section 147, 294(b), 323, 324, 506(2) & 420 of IPC and the case is now investigated by the Inspector of Police, Virudhachalam. He would further submit that the said Vijayakumar is not presently working as Additional Public Prosecutor in Additional Session Court, Cuddalore. He would submit that investigation is done in a proper manner.

4. Heard both sides and perused the materials available on record.

5. Taking into consideration the facts and submissions made by the learned counsel, I am of the opinion that Assistant Superintendent of Police, Virudhachalam shall be directed to monitor the case in Crime No.1277 of 2021. Accordingly, the Assistant Superintendent of Police, Virudhachalam is directed to monitor the case in Crime No.1277 of 2021 and the second respondent shall complete the investigation and file the final report as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of the Order.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1.The Superintendent of Police,
O/o.Superintendent of Police,
Cuddalore District.

2.The Assistant Superintendent of Police,
Virudhachalam.



3.The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

4.The Inspector of Police,
CBCID, Cuddalore,
Cuddalore Division

5.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.Muthamizh Selvakumar, Advocate SR. No. 12977

Cr1.O.P.No.4395 of 2022

MG (CO)

PR (16/03/2022)