



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7859 of 2022

D.Suryaraj

... Petitioner / Defacto Complainant

Vs.

1. The Commissioner of Police,
Coimbatore City Police.
2. The Inspector of Police,
City Crime Branch Police Station,
Coimbatore 641 018.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation pending on the file of the second respondent in Crime No.45 of 2021 to some other Inspector of Police under the first respondent jurisdiction.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation pending on the file of the second respondent in Crime No.45 of 2021 to some other Inspector of Police under the first respondent's jurisdiction.

2. The learned counsel appearing for the petitioner would submit that the petitioner's younger brother one Mohanraj had fabricated the documents and sold the family property, thereby, the petitioner had given a complaint to the respondent police. Since the Respondent had not registered the case, the petitioner had filed an application under Section 156(3) of Cr.P.C before



the learned VII Judicial Magistrate in C.M.P.No.239 of 2020. Only after the direction of the learned Trial Judge, the respondent had registered a case in Cr.No.45 of 2021 for the offence under Section 420, 467, 468 & 471 of IPC. Meanwhile, the accused had transferred the property in the name of one Murthy, Ezhumalai and Dayalan. They have colluded with the first accused and once again transferred the property to the first accused's son Koushik, who is arrayed as second accused. The 1st and 2nd accused later colluding with the Manager of Punjab National Bank, Gandhipuram Branch, hypothecate the said property in the Punjab National Bank, Gandhipuram Branch and got loan to a sum of Rs.2,40,00,000/-. He would further submit that the second respondent has not properly conducted the investigation. Thereby, the present petition has been filed seeking to transfer the investigation from the second respondent to some other investigating agencies.

3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the investigation is done in a fair and proper manner. The case is registered only on 13.09.2021, thereby, it would take time to collect documents from various authorities. He would further submit that the first accused has colluded with the other accused and forged the property.

4. At this juncture, learned counsel for the petitioner prays that a direction may be issued to the Superior Officer to monitor the investigation done by the second respondent.

5. In view of the above, direction is issued to the Assistant Commissioner of Police, City Crime Branch, Coimbatore to monitor the investigation done by the second respondent. The second respondent is directed to complete the investigation in Crime No.45 of 2021 as expeditiously as possible and file the final report within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

shk/sai



To

1. The Commissioner of Police,
Coimbatore City Police
2. The Assistant Commissioner of Police,
City Crime Branch, Coimbatore
3. The Inspector of Police,
City Crime Branch Police Station,
Coimbatore 641 018.
4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Venkatesh, Advocate, S.R.No.23480

Cr1.O.P.No.7859 of 2022

AK[co]
NSK 20/04/2022