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Crl.OP.No.1305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

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THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1305 of 2023

N.Jayaraman

...Petitioner

Vs.

1.The Superintendent of Police,
District Police Officer,
Vengikkal, Thirvannamalai,
Tamil Nadu – 606 604.

2.The State represented by
The Inspector of Police,
F-1, Kalasapakkam Police Station,
Thiruvannamalai District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.423 of 2022 pending on the file at the 2nd respondent Police to CBCID.

For Petitioner : Mr.S.Raendrakumar
For Respondents : Mr.S.Santhosh
Government Advocate (Crl side)



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ORDER

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This Criminal Original Petition has been filed to transfer the investigation in Crime No.423 of 2022 pending on the file at the 2nd respondent Police to CBCID.

2. Learned counsel for the petitioner submitted that petitioner's mother purchased a property in Survey No.14/3A measuring about 1.26 Acres in Periyakelambadi Village in the year 1996 and she was in enjoyment of the said property. After his mother death, petitioner visited the land on 24.11.2021. The accused mentioned in the complaint had prevented the petitioner from entering into his land and scolded him in filthy language and made death threat. In this regard, though the petitioner tried to give a complaint immediately, police refused to receive the complaint and register the First Information Report. Thereafter, he gave a complaint to Superintendent of Police, Thiruvannamalai and lodged a complaint against the accused. The accused having men, muscle and political power, trying to encroach the petitioner's land. On 16.12.2021 at about 10.00 am, when the petitioner again visited his land, all the accused scolded him in filthy language and made death threat and pushed him down. He



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further submitted that, the respondent police did not take any effective steps for investigating the case, for the reason that accused have political background and having men and muscle power. Therefore, this petition.

3. Learned Government Advocate (Criminal side), in response, submitted that summons have been sent to the accused for enquiry. However, they have not responded to the summons. The Investigating Officer has so far examined the following witnesses, namely Jayaraman, Kaasiyammal, Malarvizhi, Komagal, Kaasilingam and Yezhumalai. The investigation is proceeding in the right direction.

4. Recording the submissions of learned Government Advocate (Criminal side) that, the respondent police is investigating the case properly and recording the statement of six witness, this Court is of the view that, there is no need to transfer the investigation of this case to CBCID or some other police officers. If the petitioner is not satisfied with the final report that may be filed, it is always open to the petitioner to take legal remedies.



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5. In such view of the matter, this Court directs the 2nd respondent police to complete the investigation, as early as possible, preferably within a period of one month from the date of receipt of a copy of this order and file final report before this Court having jurisdiction.

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

23.01.2023

gd

Index:Yes/No

Speaking Order: Yes/No

To

- 1.The Superintendent of Police,
District Police Officer,
Vengikkal, Thirvannamalai,
Tamil Nadu – 606 604.
- 2.The Inspector of Police,
F-1, Kalasapakkam Police Station,
Thiruvannamalai District.
- 3.The Public Prosecutor
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

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