



WEB COPY

Crl.O.P.Nos.23866, 23867 & 23869 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.23866, 23867 & 23869 of 2023
and Crl.M.P. Nos.16556, 16560 & 16566 of 2023

M.Rathinasamy

... Petitioner in Crl.O.P. No.23866 of 2023

R.Kumaresan

... Petitioner in Crl.O.P. No.23867 of 2023

R.Sathiyamurthy

... Petitioner in Crl.O.P. No.23869 of 2023

-VS-

1.State Represented by
The Superintendent of Police,
Office of the Superintendent of Police,
Tirupur District.

2.Inspector of Police,
District Crime Branch,
Tirupur District.
(Crime No.4 of 2023)

3.Inspector of Police,
Crime Branch Criminal Investigation Department,
Office of CBCID, Thirupur, Thirupur District.

...Respondents in Crl.O.P. No.23866 of 2023

1.State Represented by
The Superintendent of Police,

<https://www.mhc.tn.gov.in/>



Office of the Superintendent of Police,
Tirupur District.

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2. Inspector of Police,
Palladam Police Station,
Tirupur District.
(Crime Nos.1102 of 2022 & 229 of 2023)

3. Inspector of Police,
Crime Branch Criminal Investigation Department,
Office of CBCID, Thirupur, Thirupur District.

...Respondents in Crl.O.P. Nos.23866 & 23869 of 2023

COMMON PRAYER: Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.4 of 2023 dated 01.05.2023, Crime No.1102 of 2022 dated 04.10.2022 and Crime No.229 of 2023 dated 01.03.2023 pending on the file of the 2nd respondent police to 3rd respondent.

For Petitioner : Mr.S.Shankar in all Crl.O.Ps.

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)
in all Crl.O.P.s

COMMON ORDER

The petitioners herein, is the defacto complainant in Cr. No.4 of 2023 dated 01.05.2023, Crime No.1102 of 2022 dated 04.10.2022 and Crime No.229 of 2023 dated 01.03.2023 fearing that the respondent police will not properly investigate the case, which involves several bank loan transactions using the pauper and gullible person as collateral security, seeks transfer of investigation

to CBCID.



2. The learned Government Advocate (Crl.Side) states that the investigation is going on in the right direction and final report will be filed within a period of 45 days.

3. However, from the submissions made by the learned counsel for the petitioner, this Court finds atleast 3 to 4 FIRs are filed against the same private respondent by Police at Thiruppur and Erode Districts. The total amount alleged to have been defrauded is estimated to a sum of Rs.300 Crores. Some of the accused were arrested and released on bail and few still at large.

4. Considering the gravity of offence, it is appropriate to direct the concerned District Superintendent of Police, to examine the investigation conducted so far and if not satisfactory, to change the Investigating Officer and monitor the investigation and file the final report within a period of 45 days and take steps to secure all the accused.

5. With the above direction, this Criminal Original Petitions are disposed of. Connected Miscellaneous Petitions are closed.

20.10.2023

Index : Yes/No

Neutral Citation : Yes/No



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Dr.G.JAYACHANDRAN, J.

rkp

To

- 1.The Superintendent of Police,
Office of the Superintendent of Polcie,
Tirupur District.
- 2.The Inspector of Police,
District Crime Branch,
Tirupur District.
(Crime No.4 of 2023)
- 3.Inspector of Police,
Crime Branch Criminal Investigation Department,
Office of CBCID, Thirupur, Thirupur District.
- 4.The Inspector of Police,
Palladam Police Station,
Tirupur District.
- .The Public Prosecutor,
Madras High Court, Madras.

Crl.O.P.Nos.23866, 23867 & 23869 of 2023
and Crl.M.P. Nos.16556, 16560 & 16566 of 2023