



CRL.O.P.(MD)No.3284 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL.O.P.(MD)No.3284 of 2021

S.Manikandan

... Petitioner/ Defacto Complainant

-Vs-

1.The Superintendent of Police,
Virudhunagar District, Virudhunagar.

2.The Inspector of Police,
District Crime Branch,
Virudhunagar, Virudhunagar District.

3.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(Crime No.598 of 2020)

... Respondents / Respondents



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PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying this Court to transfer the investigation in Crime No.598 of 2020 dated 23.09.2020 on the file of the 3rd respondent herein to the 2nd respondent or any other superior officer within the District.

For Petitioner : Mr.K.Veilmuthu

For Respondents : Mr.M.Muthumanikkam,

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the defacto complainant to transfer the investigation in Crime No.598 of 2020 dated 23.09.2020 on the file of the 3rd respondent to the 2nd respondent or any other superior officer within the District.

2.The case of the prosecution is that the petitioner is the representative of M/s.CNB Diamond Private Ltd., and the accused / Gurusamy @ Selvam has been running a jewelry shop in the name and style of New Vettrivel Jewellers. The accused had participated in the exhibition conducted by the petitioner at Chennai, where the accused had expressed his willingness to purchase diamond from the petitioner and had business transactions with the petitioner. For the



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period from 22.09.2017 to 16.02.2018, there was a due of Rs.24,90,182/-, for which the accused returned the diamonds worth about Rs.2,73,354/- and also credited a sum of Rs.2,10,000/- and Rs.50,000/- on 21.12.2017 and 31.03.2018 respectively. For the remaining amount, the accused had executed a registered sale agreement to sell the land to the petitioner. Thereafter, the petitioner came to know that the said land does not belong to the accused. Hence, the complaint was made to the 3rd respondent Police and the same was registered in Crime No.598 of 2020 for the alleged offence punishable under Section 420 IPC. Since the 3rd respondent has not conducted the investigation properly, the petitioner seeks for transfer of investigation.

3.The learned Government Advocate appearing for the respondents would submit that during the pendency of this petition, the Investigation Officer has completed the investigation and filed final report before the learned Judicial Magistrate, Rajapalayam, which has also been taken on file as C.C.No.11 of 2023.



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4.In view of the above, nothing survives for further adjudication in this matter. Accordingly, this Criminal Original Petition is closed.

21.04.2023

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

MYR

To:

1.The Superintendent of Police,
Virudhunagar District, Virudhunagar.

2.The Inspector of Police,
District Crime Branch,
Virudhunagar, Virudhunagar District.

3.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

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



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K.K.RAMAKRISHNAN, J

MYR

Order made in
CRL.O.P.(MD)No.3284 of 2021

Dated:

21.04.2023