



Crl.O.P.(MD)No.4034 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.4034 of 2020

and

Crl.M.P.(MD).No.2238 of 2020

Batharsha

... Petitioner

Vs.

- 1.The Inspector General,
South Zone,
Natham Road,
Madurai.
- 2.The Deputy Inspector General,
Palayamkottai,
Tirunelveli District.
- 3.The Superintendent of Police,
Palayamkottai,
Tirunelveli District.
- 4.The State represented by
Inspector of Police,
District Crime Branch (Anti Land Grabbing Cell),
Tirunelveli.
- 5.The Inspector of Police,
CBCID, Tirunelveli,
No.26 D, C Colony,
Perumalpuram,
Vasanthanagar,
Tirunelveli District.



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6.T.Selvarajesh

... Respondents

(R-6 is suo motu impleaded as per order of this Court dated 04.03.2020 in Crl.O.P.(MD).No.4034 of 2020)

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to transfer the investigation in Crime No.16 of 2019 dated 14.05.2019 pending on the file of the 4th Respondent to the 5th Respondent or any other agency.

For Petitioner : Mr.N.Mohamed Asif
For R-1 to R-5 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor.
For R-6 : No appearance

ORDER

The Criminal Original Petition is filed for transfer of investigation in Crime No.16 of 2019 on the file of the fourth respondent to the fifth respondent.

2. It is the case of the petitioner that his daughter's signature in Aadhaar card have been forged and certain transactions have taken place in respect of the property in Plot Nos.602, 603 and 604 in Jeyajothi Nagar, Purpakulam Village, Tirunelveli District. He had lodged a complaint before the fourth respondent and a case in Crime No.16 of 2019 was registered on 14.05.2019 for



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the offences under Section 419, 420, 423, 465, 468 and 471 IPC. Alleging that the fourth respondent had not taken effective steps to find out the culprits and file final report, the petitioner has filed this transfer petition.

3. The learned Additional Public Prosecutor appearing for the respondents 1 to 5 submitted that the petitioner had not co-operated with the investigation. The Investigating Officer had requested the petitioner's daughter to appear before the Police to obtain fingerprints so as to compare it with the document alleged to have been forged. However, neither the petitioner nor the petitioner's daughter appeared before the Investigating Officer.

4. Since the allegations in the FIR are serious in nature, this Court deems it necessary to direct the fourth respondent to conduct the investigation in an expeditious manner after giving sufficient opportunity to the petitioner and his daughter. If the presence of the petitioner or his daughter is required for investigation, notice in writing may be issued to them. The investigation may be monitored by the Deputy Superintendent of Police, District Crime Branch (Anti Land Grabbing Cell), Tirunelveli. The fourth respondent under the supervision of the Deputy Superintendent of Police, District Crime Branch (Anti Land Grabbing Cell), Tirunelveli, shall conduct the investigation and file



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a final report within a period of four (4) months from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition stands closed.

11.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

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- 1.The Inspector General,
South Zone,
Natham Road,
Madurai.
- 2.The Deputy Inspector General,
Palayamkottai,
Tirunelveli District.
- 3.The Superintendent of Police,
Palayamkottai,
Tirunelveli District.
- 4.The Inspector of Police,
District Crime Branch (Anti Land Grabbing Cell),
Tirunelveli.
- 5.The Inspector of Police,
CBCID, Tirunelveli,
No.26 D, C Colony,
Perumalpuram,
Vasantha Nagar,
Tirunelveli District.
- 6.The Deputy Superintendent of Police,
District Crime Branch (Anti Land Grabbing Cell),
Tirunelveli.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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and
CrI.M.P.(MD).No.2238 of 2020**

11.01.2023