



CrI.O.P.(MD)No.6551 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **31.08.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD)No.6551 of 2023

Muthulakshmi

... Petitioner

Vs.

1.The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai.

2. The Assistant Commissioner of Police (L & O),
O/o. The Assistant Commissioner of Police,
Assistant Commissioner of Police (Anna Nagar Circle)
Madurai.

3.The Inspector of Police,
O/o. The Inspector of Police,
City Crime Branch,
Madurai.

4.The Inspector of Police,
O/o. The Inspector of Police,
Mattuthavani Police Station,
Madurai.

5.The Sub Inspector of Police,
O/o. The Sub Inspector of Police,
Mattuthavani Police Station,
Madurai.

... Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent No.1 to withdraw the investigation in Crime No.46 of 2023 on the file of the respondent NO.4 and entrust the same to the respondent No.3.

For Petitioner : Mr.S.M.A. Jinnah

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking for transfer of investigation in Crime No.46 of 2023 pending on the file of the 4th respondent to the 3rd respondent.

2. It is submitted by the learned counsel for the petitioner that on complaint given by the petitioner / defacto complainant that the accused has cheated him a sum of Rs.19,61,300/-, a case has been registered in Crime No.46 of 2023 for the offences under Sections 294(B), 406, 420 and 506(ii) IPC. It is also submitted that prior to the case the petitioner has given another complaint before the 4th respondent, however, no



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action has been initiated, thereby the petitioner has approached the learned Judicial Magistrate No.VI, Madurai and that a complaint under Section 156(3) Cr.P.C., and even though, case has been registered could not complete the investigation.

3. It is submitted by the learned Additional Public Prosecutor that the petitioner is seeking transfer of the investigation on the ground that the accused was not arrested and police so far examined four witnesses u/s. 161(3) and from the date of registration of First Information Report.

4. Considering the submissions made by both sides, the 4th respondent is directed to complete the investigation within a period of four months from the date of receipt of a copy of this order and the 2nd respondent Police viz., Assistant Commissioner of Police is directed to monitor the investigation hereafter, and shall give the clearance for the charge sheet to be filed before the Court after the completion of investigation.



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5. With the above observation, this Criminal Original Petition is disposed of.

31.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
trp

To

1.The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai.

2. The Assistant Commissioner of Police (L & O),
O/o. The Assistant Commissioner of Police,
Assistant Commissioner of Police (Anna Nagar Circle)
Madurai.

3.The Inspector of Police,
O/o. The Inspector of Police,
City Crime Branch,
Madurai.

4.The Inspector of Police,
O/o. The Inspector of Police,
Mattuthavani Police Station, Madurai.

5.The Sub Inspector of Police,
O/o. The Sub Inspector of Police,
Mattuthavani Police Station, Madurai.

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

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DR.D.NAGARJUN,J

trp

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