



Crl.O.P.(MD)No.7023 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **18.04.2023**

CORAM:

THE HONOURABLE MRS.JUSTICE **R.THARANI**

Crl.O.P.(MD) No.7023 of 2023

S.Nasmudheen

... Petitioner

Vs.

1.The Superintendent of Police,

O/o. The Superintendent of Police,

Madurai District, Madurai.

2.The Deputy Superintendent of Police,

O/o. The Deputy Superintendent of Police,

Thirumangalam Range, Madurai.

3.The Inspector of Police,

Thirumangalam Police Station,

Madurai District.

In Crime No.17/2021

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, for direction to transfer the investigation in Crime No.17 of 2021, dated 10.01.2021, on the file of the third respondent and entrust the same to the second respondent for further investigation or any other competent officer and file final report before the Jurisdictional Magistrate within the time period stipulated by this Court.



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For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

This petition is filed to transfer the investigation in Crime No.17 of 2021, dated 10.01.2021, on the file of the third respondent and entrust the same to the second respondent for further investigation or any other competent officer and file final report before the Jurisdictional Magistrate within the time period stipulated by this Court.

2. On the side of the petitioner, it is stated that the accused, who is a sales representative of Car, has received Rs.1,50,000/- from the petitioner as an advance for delivering a car, but, he has committed cheating. The third respondent has not taken effective steps for investigation and prayed the investigation to be transferred to some other investigation agency.

3. On the side of the prosecution, it is stated that the case was registered on 10.01.2021, three witnesses were examined so far and the investigation is in progress and prayed a time frame to be fixed by this Court.



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4. It is seen that even after a lapse of 2 ½ years, the third respondent has not done any investigation and the third respondent has examined only three witnesses and there is no progress in this case. In the above circumstances, the investigation is withdrawn from the file of the third respondent and it is transferred to the file of the second respondent. The second respondent is directed to investigate the case and to file a final report within a period of four months from the date of receipt of copy of this order.

5. With the above direction, this Petition is allowed.

NCC : Yes/No
Index : Yes/No
Ls

18.04.2023

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District, Madurai.



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R.THARANI. J.

Ls

2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Thirumangalam Range, Madurai.

3.The Inspector of Police,
Thirumangalam Police Station,
Madurai District.

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

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