



Crl.O.P.(MD)No.12768 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.07.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

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J.Jeya

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District,
Theni-625 531.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Uthamapalayam-625 533,
Theni District.

3.The Sub-Inspector of Police,
Rayappanpatti Police Station,
Rayappanpatti-625 526,
Theni District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to transfer the investigation in Crime No.200 of 2022 under Section 420 of IPC dated 27.08.2023 pending on the file of the third respondent to the second respondent within the time stipulated by this Court on the basis of the



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representation dated 20.05.2023 given by the petitioner.

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For Petitioner : Mr.M.Karuppasamy Pandian

For Respondents : Mr.S.S.Madhavan
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the first respondent Police to transfer the investigation in Crime No.200 of 2022 which is registered for the offence under Section 420 of IPC on 27.08.2022 on the file of the third respondent to the second respondent.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner and her husband have taken LIC in Policy No.743281009 through an agent, by name, R.Muthu Sivasakthi Murugan @ Murugan in the month of July 2013. After maturity of the policy, maturity amount of Rs.2,80,000/- (Rupees Two Lakhs Eighty Thousand only) was received by the said Muthu Sivasakthi Murugan. The said Muthu Sivasakthi Murugan has taken a sum of Rs.2,50,000/- from the petitioner by stating that the said amount will be



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deposited in one of the schemes of LIC by saying that they fetch lot of interest, but he has cheated the petitioner. The petitioner has filed a complaint before the third respondent Police as against him, accordingly, a case in Crime No.200 of 2022 on 27.08.2022 has been registered for the offence punishable under Section 420 of IPC against the said Muthu Sivasakthi Murugan. As there is no substantial progress in the investigation, a direction is sought for transferring the investigation to the second respondent.

3. It is submitted by the learned counsel appearing for the petitioner that after giving oral complaint, the respondents Police called the petitioner and the accused, and in the presence of the Police, the said Muthu Sivasakthi Murugan has given an undertaking that he has cheated the petitioner and he will return the money within a stipulated time. In spite of that, the third respondent Police have not taken any action.

4. The learned Government Advocate (Criminal side) appearing for the respondents Police, on the other hand, submits that Crime No.200 of 2022 is under investigation and the respondents Police



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have requested the petitioner to produce documents in respect of the policy to ascertain the fact as to whether a sum of Rs.2,80,000/- was the maturity amount. It is submitted that soon after the submission of the documents, the respondents Police will complete the investigation and file a report under Section 173 Cr.P.C.

5. Considering the submission made by the learned Government Advocate (Criminal side) appearing for the respondents Police, the respondents Police are directed to issue notice to the petitioner by following the due procedural of law and obtain documents if any and complete the investigation as quickly as possible not later than three months from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of.

17.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb



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To

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Theni District.
- 3.The Sub-Inspector of Police,
Rayappanpatti Police Station,
Rayappanpatti-625 526,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN,J

ssb

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