



Crl.O.P.(MD) No.13857 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.13857 of 2023

Sankar

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Central Crime Branch,
Madurai City,
(in Crime No.5 of 2023)

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to withdraw the case in Crime No.05 of 2023 dated 19.06.2023 on the file of the second respondent and entrust the same to any other competent officer for an investigation within the time stipulated by this Court and file a final report before the jurisdictional Magistrate.

For Petitioner : Mr.R.Venkatesan

For R1 & R2 : Mr.SS.Madhavan
Government Advocate (Crl.side)



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ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking transfer of investigation in Crime No.5 of 2023 from the file of the respondent No.2 police to the file of any other competent officer.

2.According to the learned counsel for the petitioner, though the FIR has been registered on a complaint filed before the learned Magistrate, there is no substantial investigation and thereby sought for change of Investigating Officer.

3.The learned Government Advocate (Crl.side) on the other hand submits that soon after receiving of the complaint, the case has been registered and then, letters were addressed to the various Departments including the Sub Registrar Office and also to the Revenue Department to get the details of the documents mentioned by the petitioner in the complaint and has submitted that soon after receipt of the reply, appropriate action will be initiated.



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4.By recording the submissions of the learned Government Advocate (Crl.side) and also considering the fact that the FIR has been registered about 40 days ago, it is not possible to conclude the petitioner that the investigation is not done in proper lines. Considering the circumstances, no orders can be passed at this stage and accordingly, this Petition is disposed of, directing the respondent police to expedite the investigation and file the charge sheet as quickly as possible.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

03.08.2023

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To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
Central Crime Branch,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN. J.

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