



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.1914 of 2024

A.Ratan Kavar

... Petitioner

Vs.

1.The State Represented by
The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Chennai 600 007.

2.The Deputy Commissioner of Police,
Flower Bazaar,
No.43, Moore Street, Parry's Corner,
George Town, Chennai – 600 001.

3.The Inspector of Police (Crime)
C-2, No.37VG+337,
Elephant Gate Police Station,
Chennai – 600 108.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to transfer the above FIR No.750 of 2012 pending investigation on the file of the 3rd respondent C-2 police station to the Central Crime Branch or any other investigation agency.

For Petitioner : Mr.C.M.Anandan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

This criminal original petition has been filed to direct the respondents to transfer the above FIR No.750 of 2012 pending investigation on the file of the 3rd respondent C-2 police station to the Central Crime Branch or any other investigation agency.

2.This Court directed the respondent police to file a status report and accordingly, the 3rd respondent has filed the status report and the relevant portions are extracted hereunder:

4. It is submitted that based on the above complaint of the defacto complainant/A.RatanKawar, a case was registered in C-2, Elephant Gate Police Station, Crime No.750 of 2012, u/s.120 (b), 409, 420 IPC on 04.04.2012 at about 10.30 hours by Tr.Rajasekaran, then Inspector of Police and took up the case for investigation.

5. It is submitted that during the course of investigation which reveals that on 01.07.2010, one Tr.Mahendra Dadha [A-1] and Surendar Dadha [A-2] who were the said Private Security lockers executed comprise agreement to the defacto complainant that to repay the said cash sum of Rs.27 lakhs and handover the 2300 grams of gold within a period of 6 months from the date of this undertaking and also undertake to furnish necessary security for the same on or before 07.07.2010. But, till date the said the accused persons not to repay the said amount and jewels.



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6. *It is submitted that during the course of investigation, on 07.02.2024 and 13.02.2024, I have examined the following witnesses and recorded their statements.*

- (i) Tmt. A.Ratan Kavar - defacto complainant*
- (ii) Tmt. Preethi - daughter of the defacto complainant*
- (iii) Tr. Dharmendar - son of the defacto complainant*
- (iv) Tr.Ramesh Kumar - brother of the defacto complainant*
- (v) Tr.Prakash - brother of the defacto complainant*

7. *It is submitted that in order to complete the investigation, yet to be examined the counter petitioners namely Tr.Mahendra Dadha, Surendar Dadha and 5 others, after completion of above, I will lay a final report before the competent court in accordance with law.*

8. *It is submitted that the Respondent Police registered the case, investigated and conducted the investigation in a free, fair and impartial manner. After completion of elaborate and detailed investigation, I will filed the charge sheet against the accused before the competent court in accordance with law.*

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also of



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the fact that the investigation has been pending in this case from the year 2012 onwards. There shall be a direction to the 2nd respondent to monitor the investigation conducted by the 3rd respondent and ensure that the investigation is completed and the final report or closure report, as the case may be, is filed before the concerned jurisdictional Court, within a period of three months from the date of receipt of a copy of this order.

5.This criminal original petition is disposed of with the above direction.

04.03.2024

Index: Yes/No
Internet: Yes/No
ssr

To

- 1.The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery,
Chennai 600 007.
- 2.The Deputy Commissioner of Police,
Flower Bazaar,
No.43, Moore Street, Parry's Corner,
George Town,
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- 3.The Inspector of Police (Crime)
C-2, No.37VG+337,
Elephant Gate Police Station,



Chennai – 600 108.



4. The Public Prosecutor,
High Court of Madras,
Chennai.



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N.ANAND VENKATESH,J.

SSR

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