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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.14690 of 2024

R. Jaffer Khan

... Petitioner

Vs.

1. The Commissioner of Police
No.132, EVK Sampath Road,
Vepery, Chennai 600 007.
2. The State rep by its
The Assistant Commissioner of Police
V-4, Rajamangalam Police Station,
Chennai.
3. The State Rep by its
Inspector of Police
V-4, Rajamangalam Police Station,
Chennai.
4. Deputy Commissioner of Police
CBCID (Metro)
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to withdraw the investigation in connection with the Cr.No.60 of 2024 dated 26.02.2024 on the file of the 3rd respondent and transfer the same to the 4th respondent of any other agency and to file final report within the time stipulated.

For Petitioner : Mr.MA. Gouthaman



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For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner herein is the complainant in Cr.No.60 of 2024 dated 26.02.2024 alleging that his premises has been ransacked by one Sathish Kumar. With the help of local people, he has given the complaint. But due to the inaction of the police, he has approached this court by filing Crl.OP.No.7427 of 2024 seeking to transfer the investigation agency. This court, at that point of time, had observed that the case been registered only on 26.02.2024. Therefore, transfer of investigation, at this stage, is not necessary. However, if there is no progress in the investigation, the petitioner shall revive his claim at the later point of time. Now sensing that it is time to approach the court again for transfer of investigation, the present petition is filed.

2. Learned counsel for the petitioner shown some photos of the persons who are alleged to have trespassed into the property and damaged the same.

3. Learned Government Advocate (Crl.Side) appearing for the



respondents states that these photographs were not furnished by the complainant to the police for investigation.

4. This court is unable to accept such arguments and submissions. It is very clear that the respondent police is not inclined to obey the order of this court and conduct the investigation fairly. Hence, it is an appropriate case to transfer the investigation to the 4th respondent/ Deputy Commissioner of Police, CBCID (Metro). Hence, this court directs to call for the file from the 3rd respondent and entrust the investigation to any competent police official who shall conduct the investigation fairly and complete it within a reasonable time.

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

05.07.2024

Index : Yes/No
Neutral Citation : Yes/No

gv

Dr.G.JAYACHANDRAN,J.



gv

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V-4, Rajamangalam Police Station,
Chennai.
4. Deputy Commissioner of Police
CBCID (Metro)
Chennai.
5. The Public Prosecutor,
High Court of Madras,
Chennai.

Crl.O.P.No.14690 of 2024

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