



Crl.O.P.No.26616 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.11.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.26616 of 2024

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U.Premprakash

.. Petitioner

Vs.

1. The State
rep. by its Commissioner of Police,
Huzur Road, Uppilipalayam,
Coimbatore-641 018.
2. The State rep. by its
Inspector of Police (Law and Order),
E.2, Peelamedu Police Station,
Coimbatore City-641 004.
3. Dr.Rajesh Shankar Iyer,
Kovai Medical Centre and Hospital Ltd.,
99, Avinashi Road,
Peelamedu-Pudur Main Road,
Civil Aerodrome Post,
Coimbatore-641 014.
4. Mr.Muralidharan, Regional Manager,
REPCO Home Finance
5. Mr.Balan, Assistant, REPCO Home Finance
6. Vimala, Staff, REPCO Home Finance
(Respondents 3 to 6 are commonly
at No.8/26, Red Cross Society Building,
Hosur Road, Coimbatore-641 018.

.. Respondents



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Criminal Original Petition filed under Section 528 of BNSS to direct the first respondent to transfer investigation now pending on the file of the second respondent, viz., Inspector of Police, Law and Order, E.2 Peelamedu Police Station, Coimbatore City to CB-CID Police or any other competent investigating authority so as to conduct and complete enquiry in the manner known to law by examining all concerned witnesses, documents and file final report within the time frame to be stipulated by this Court.

For petitioner : Mr.T.S.Rajamohan

For respondents: Mr.S.Vinoth Kumar, Govt. Advocate (Crl. Side) for RR-1 & 2

ORDER

This petition has been filed to direct the first respondent to transfer the investigation now pending on the file of the second respondent, viz., Inspector of Police, Law and Order, E.2 Peelamedu Police Station, Coimbatore City, to the CB-CID Police or any other competent investigating authority, so as to conduct and complete enquiry in the manner known to law by examining all concerned witnesses, documents and file final report within the time frame to be stipulated by this Court.

2. Learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 submitted that, after completion of the investigation, the charge-sheet/final report was already laid before the Judicial Magistrate-2,

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Coimbatore on 24.10.2024 and that a negative final report has been filed.

Therefore, as the respondents 1 and 2 had already filed charge-sheet before the Court concerned after completion of investigation, the concerned Court below is directed to issue notice to the de-facto complainant/petitioner herein and after giving notice, the Court below shall conduct enquiry in the manner known to law and if so aggrieved by the order that may be passed by the Court concerned, the petitioner is at liberty to file protest petition before the Court concerned and on filing of such protest petition before the Court below, the Court below is directed to conduct enquiry and dispose of the protest petition, if any is filed, on its own merits and in accordance with law.

3. With the above observations and directions, the Crl.O.P. is disposed of.

06.11.2024

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To

1. The State rep. by its Commissioner of Police,
Huzur Road, Uppilipalayam, Coimbatore-641 018.
2. The State rep. by its Inspector of Police,
E.2, Peelamedu Police Station,
Coimbatore City-641 004.
3. The Public Prosecutor, High Court, Madras.

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P.VELMURUGAN, J

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