



Crl.O.P.(MD)No.10245 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.10245 of 2022

M.Alfred

... Petitioner/Complainant

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.

2.The Commissioner of Police,
Tirunelveli City, Tirunelveli.

3.The Inspector of Police,
CCB Police Station,
Tirunelveli City,
In Crime No.6 of 2019

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.6 of 2019 on the file of the third respondent to any other specialized agency like CBCID in order to conduct proper investigation and to cull out the truth.

For Petitioner : Mr.K.Suyambulinga Bharathi

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation in Crime No.6 of 2019 on the file of the third respondent to any other specialized agency like CBCID in order to conduct proper investigation and to cull out the truth.

2.The case of the prosecution is that the petitioner is doing real estate business and he owned a shopping complex in Thiruvananthapuram Road at Palayamkottai. One Jesuraja approached the petitioner to purchase the said property and the petitioner had entered into a sale agreement and received Rs.94 lakhs. Thereafter, the said Jesuraja has not interested to purchase the said property. Thereby, there was a dispute between them. However, the petitioner has not paid the said amount since the sale agreement period has expired. Thereby, the said Jesuraja made a complaint before the law enforcing agency for claiming the said amount. The law enforcing agency appropriately took the petitioner and his aged wife to the police station and received a sum of Rs.40,00,000/- and handed over the same to the said Jesuraja, for which, the petitioner made a complaint before the third respondent police against the Assistant Commissioner of Police. The third respondent police registered a case in Crime No.6 of 2019. Initially the real accused person was not implicated in



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the offence and the investigation was not conducted in a proper manner. Hence, the present petition is filed for transfer of investigation.

3.The learned counsel for the petitioner would submit that this Court may issue a direction to the second respondent to complete the investigation and the said investigation may be monitored by the higher officials within a reasonable time as fixed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondents would submit that this Court may issue a direction to the respondents police to complete the investigation within a reasonable time as fixed by this Court.

5.In view of the above, the second respondent is directed to monitor the investigation in Crime No.6 of 2019 on the file of the third respondent and file a final report as expeditiously as possible.

6.With the above directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

07.02.2024



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M.DHANDAPANI, J.

Sji

To

- 1.The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.
- 2.The Commissioner of Police,
Tirunelveli City, Tirunelveli.
- 3.The Inspector of Police,
CCB Police Station,
Tirunelveli City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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