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Crl.O.P.No.3901 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3901 of 2024

Rekha @ Revathi

... Petitioner

Vs

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai – 600007.

2. State by
The Inspector of Police (L & O),
S-9, Palavanthangal Police Station,
St.Thomas Mount, Chennai.

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.150 of 2022 on the file of the Inspector of Police, S9-Palavanthangal Police Station, St.Thomas Mount, Chennai to any other Investigating agency for further investigation of the case.

For Petitioner : Mr. M.Abdul Razack

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No. 150 of 2022, on the file of the second respondent Police, to any other Investigating agency for further investigation of the case.

2. The petitioner's husband was missing from 01.07.2022. Therefore, she lodged a complaint and the second respondent registered the First Information Report in Crime No. 150 of 2022 under "man missing". Thereafter, the second respondent did not even conduct any enquiry to know the whereabouts of the petitioner's husband.

3. The second respondent filed a status report before this Court, which reveals that the petitioner's husband borrowed a sum of Rs.54,00,000/- and Rs. 1.47 Crores from one Anil Somanapalli Kumar Gopala Krishna to develop his business. After obtaining the loan, he did not repay the same and as such, he is now absconding.



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4. The learned counsel for the petitioner would submit that on what basis the second respondent filed a status report and whose complaint the allegations made as against the petitioner's husband and no materials are available to substantiate the same. The petitioner already filed a Habeas Corpus Petition in H.C.P. No. 1433 of 2022 before this Court. On the assurance given by the second respondent, it was closed. For the past three years, there is absolutely no action from the second respondent to find out the petitioner's husband.

5. Heard the learned counsel for both sides and perused the materials available on record.

6. In view of the above, this Court is inclined to transfer the investigation from the file of the second respondent to the file of the CBCID, Chennai, for further and proper investigation. Accordingly, the entire case diary in Crime No. 150 of 2022 is hereby directed to be withdrawn from the file of the second respondent and transferred to the file



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of the CBCID, Chennai, for further and proper investigation.
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7. With the above directions, this Criminal Original Petition is
allowed.

18.02.2025

Index: Yes/No
Neutral Citation/Yes/No
kv

To

1. The Commissioner of Police,
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2. The Inspector of Police (L & O),
S-9, Palavanthangal Police Station,
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G.K.ILANTHIRAIYAN, J.

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