



Crl.O.P.No. 12820 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.12820 of 2025

and

Crl.M.P.No.8481 of 2025

G.R.Prabakar Raja

..... Petitioner

Vs

1.The Deputy Commissioner of Police,
Central Crime Branch,
Greater Chennai,
Vepery, Chennai.

2.The Assistant Commissioner of Police,
C5 Police Station (Crime Range),
Kothavalchavadi,
Chennai – 600 001.

3.The Inspector of Police,
C5 Police Station (Crime)
Kothavalchavadi,
Chennai – 600 001

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer the investigation of the case in Crime No.21 of 2025 on the file of the third respondent herein to the first respondent/The Deputy Commissioner of Police, Central Crime Branch, Greater Chennai, Vepery, Chennai and to file a final report.



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For Petitioners : Mr.B.Kumarasamy
For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to transfer the investigation in Crime No.21 of 2025 from the file of the third respondent to the file of the first respondent.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The learned counsel appearing for the petitioner would submit that the petitioner had mortgaged his house and paid a sum of Rs.65,00,000/- to the accused for investment in the business. Though the petitioner initially lodged a complaint, no FIR was registered. Consequently, the petitioner approached the Magistrate Court by filing a petition in Crl.M.P.No.11825 of 2024. Even after the Magistrate directed registration of the FIR, the third respondent did not register the FIR. It was only after filing a direction petition in Crl.O.P.No.3112 of 2025 before this Court, that an FIR came to be registered in Crime No.21 of 2025. However, after registration of the FIR, the third respondent has



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not taken any steps to investigate the matter and has not even recorded the actual amount involved in the complaint. The investigation has been kept in abeyance without any progress.

4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the third respondent had conducted investigation to the extent of Rs.65,00,000/- and further investigation is in progress. At this juncture, transferring the investigation from the file of the third respondent to any other investigating agency would adversely affect the ongoing investigation.

5. In view of the above, this Court is not inclined to transfer the investigation in Crime No.21 of 2025 from the file of the third respondent to any other investigating agency. However, the third respondent is directed to complete the investigation in Crime No.21 of 2025 and file a final report, within a period of twelve weeks from the date of receipt of a copy of this order. The second respondent is directed to monitor the investigation conducted by the third respondent and must ensure that the direction issued by this Court is duly complied with by the third respondent.



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6. With the above direction, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

24.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1.The Deputy Commissioner of Police,
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Vepery, Chennai.

2.The Assistant Commissioner of Police,
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Kothavalchavadi,
Chennai – 600 001.

3.The Inspector of Police,
C5 Police Station (Crime)
Kothavalchavadi,
Chennai – 600 001

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



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G.K.ILANTHIRAIYAN, J.

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