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CRL OP No. 26399 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26399 of 2025

D.Kumar

Petitioner(s)

Vs

1. The Commissioner of Police,
Avadi.

2. The Inspector of Police (Crime),
T-6, Avadi Police Station, Avadi,
Chennai-54.

3. The Inspector of Police,
Anti-Land Grabbing Cell, Central
Crime Branch, Office of the
Commissioner of Police, Avadi,
Chennai-600 054.

Respondent(s)

Prayer:

Criminal Original Petition filed under Section 528 of BNSS to transfer the investigation in Cr.No.900/2024 from the second respondent to the third Respondent, or any other competent authority and consequently direct to submit a final report in Cr.No.900/2024



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For Petitioner: Mr.T.S.Charles

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to transfer the investigation in Cr.No.900 of 2024 from the 2nd respondent to the 3rd respondent.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents and perused the documents placed on record.

3. It is the main grievance of the petitioner that though the death certificate of the deceased and power of attorney has been forged, the FIR has been filed only under Sections 428, 406 IPC. Therefore, it is his contention that for fair conduct of case, investigation has to be transferred to the 3rd respondent.



4. A perusal of the FIR indicates that the accused claims to be the owner of the property, executed power of attorney, entered into agreement of sale and received some amount after the death of the power of attorney. During the investigation a sum of Rs.11 Lakhs has been recovered and the said amount has been handed over to the defacto complainant. Admittedly, now according to the petitioner, proper Sections have not been added in the FIR.

5. In such view of the matter, if any power of attorney has been executed after the death of the original owner, let the respondents shall take note of the fact and file a final report by including all the relevant sections of law. With the said observation, the present Petition stands disposed of.

25-09-2025

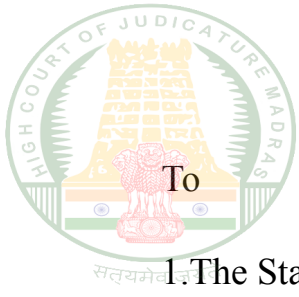
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssd



To

1. The State Rep by, The Commissioner

of Police,

Avadi.

2. The State Rep by, The Inspector of
Police (Crime),

T-6, Avadi Police Station, Avadi,
Chennai-54.

3. The Inspector of Police,
Anti-Land Grabbing Cell, Central
Crime Branch, Office of the
Commissioner of Police, Avadi,
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N.SATHISH KUMAR J.

ssd

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