

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.13277 of 2015

M.Chellamuthu

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by Deputy Commissioner of Police,
Central Crime Branch,
Office of the Commissioner of Police,
Vepery, Chennai.

2. The State of Tamil Nadu,
Rep by the Inspector of Police
Central Crime Branch
EEF-II Wing, G-24
Office of the Commissioner of Police
Vepery, Chennai.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the 2nd respondent to register the petitioner's complaint dated 17.03.2014 on the basis of Forensic Document Expert and other material documents produced, investigate the same and file final report within the time that may be fixed by this Honourable Court.

For Petitioner : Ms.P.Mani

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Petition has been filed praying to direct the 2nd respondent to register the petitioner's complaint dated 17.03.2014 on the basis of Forensic Document Expert and other material documents produced, investigate the same and file final report within the time that may be fixed by this Honourable Court.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It appears that this case seems to have had a chequered history. The petitioner was cheated by the opposite party to the tune of Rs.60,00,000/- in a very ingenious manner.

4. The petitioner lodged a complaint on 17.03.2014 before the Deputy Commissioner of Police, Central Crime Branch, Vepery, Chennai and after some enquiry, it was closed as civil in nature. This Court was not satisfied with the investigation done by the Police and therefore by order dated 22.08.2014 in CrI.OP.No.11249 of 2014, this Court directed the respondent-Police to reopen the case and conduct a fresh investigation. Even thereafter, the Police have closed the investigation, on the ground that it is civil in nature.

5. This Court carefully perused the complaint dated 17.03.2014 given by the petitioner together with the supporting documents. This Court is unable to countenance the opinion that has been arrived at by the Investigating Officer and the enquiry appears to be perfunctory.

6. Under such circumstances, this Court directs the Deputy Commissioner of Police, Central Crime Branch, to hand over the case to Police Officer, not less than the rank of Assistant Commissioner of Police, with impeccable integrity, to conduct re-enquiry on the complaint dated 17.03.2014 given by the petitioner and take action in accordance with law as laid down by the Hon'ble Supreme Court in Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]

With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ds

To

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

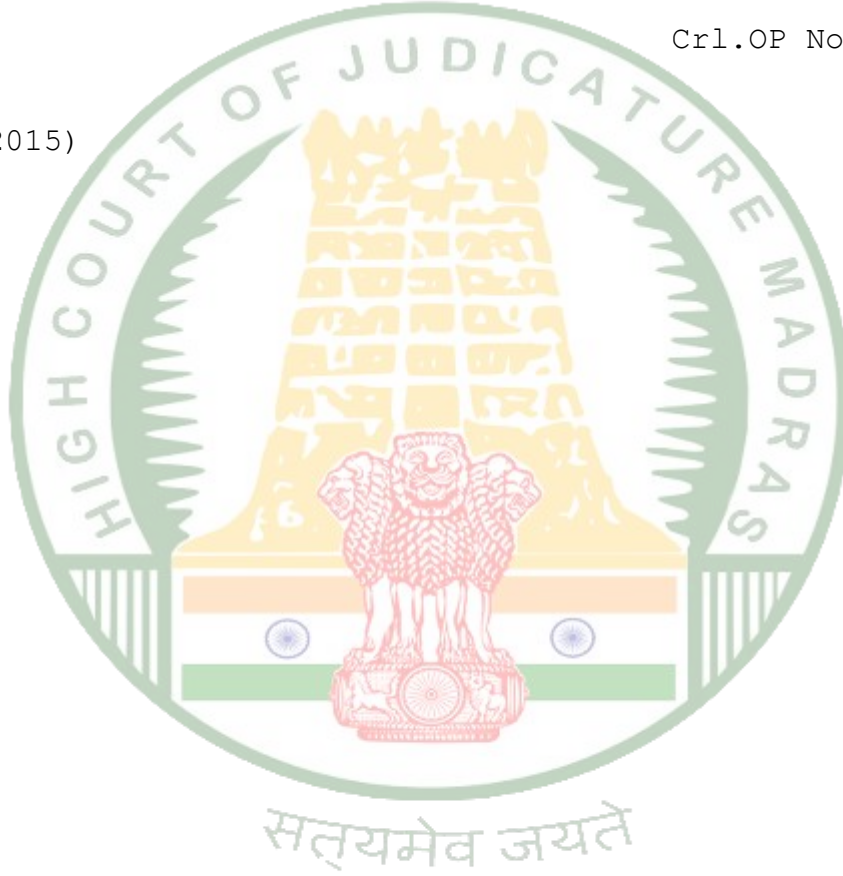
2. The Inspector of Police
Central Crime Branch
EEF-II Wing, G-24
Office of the Commissioner of Police
Vepery, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.P.Mani, Advocate, S.R.No.26304

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KGK(CO)
CA(18/06/2015)



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