

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.13625 of 2015

R.Jayavelu

... Petitioner

Vs

1.State rep by
The Commissioner of Police,
Vepery, Chennai-7.

2.The Deputy Commissioner of Police,
Central Crime Branch,
Land Grabbing Special Cell,
Vepery, Chennai-7.

3.Assistant Commissioner of Police,
Central Crime Branch,
Land Grabbing Special Cell,
Vepery, Chennai-7.

4.The Inspector of Police,
Central Crime Branch,
Land Grabbing Special Cell,
Vepery, Chennai-7.

5.The Sub Inspector of Police,
Central Crime Branch-Team 19,
Commercial Crime, Egmore,
Chennai-7.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the 4th respondent to register a case on the
petitioner's complaint dated 20.02.2013.

For Petitioner : Mr.K.Balasubramaniam

For Respondents : Mr.C.Emalias, Addl. Public Prosecutor

O R D E R

This petition has been filed to direct the 4th respondent to
register a case on the petitioner's complaint dated 20.02.2013.

2. Heard the learned counsel for the petitioner; learned
Additional Public Prosecutor appearing for the respondents and
perused the materials placed on record.

3. On 12.06.2015, this Court passed the following order:

"It is brought to the notice of this Court that the petitioner has been sending copies of this complaint to all the authorities and one such complaint appears to have been dealt by Mr.G.P.Ilangkumaran, Sub Inspector of Police, Central Crime Branch, Team 19, who has conducted investigation and he has forwarded the complaint to Land Grabbing Cell on 08.06.2013. Thereafter, the same complaint has been dealt by the said G.P.Ilangkumaran and he has closed it as civil in nature. The complaint clearly discloses commission of cognizable offence, in as much as the opposite party have fabricated records as if the petitioner had died and has usurped the petitioner's property.

2. This Court is unable to countenance, as to how the Sub Inspector of Police could come to a conclusion that this case is civil in nature when earlier, he has referred the complaint to Land Grabbing Cell for investigation. This clearly shows that the said Sub Inspector, in order to shirk his responsibilities, has acted so. Under such circumstances, this Court directs the Deputy Commissioner of Police, Central Crime Branch to handover the investigation of this case to a competent Inspector of Police with proven track record and integrity for fresh investigation. The Inspector of Police shall register an FIR and proceed with the investigation and the investigation shall be monitored by the Deputy Commissioner of Police, Central Crime Branch.

For reporting compliance and "for orders", post on 26.06.2015.

4. Today, the learned Additional Public Prosecutor submits that a case in Crime No.239 of 2015 for offence under Section 465, 467, 468, 471, 420, 120b IPC has been registered on 25.06.2015 against 12 accused. Recording the same, this petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Commissioner of Police,
Vepery, Chennai-7.

2.The Deputy Commissioner of Police,
Central Crime Branch,
Land Grabbing Special Cell,
Vepery, Chennai-7.

3.Assistant Commissioner of Police,
Central Crime Branch,
Land Grabbing Special Cell,
Vepery, Chennai-7.

4.The Inspector of Police,
Central Crime Branch,
Land Grabbing Special Cell,
Vepery, Chennai-7.

5.The Sub Inspector of Police,
Central Crime Branch-Team 19,
Commercial Crime,Egmore,
Chennai-7.

6.The Public Prosecutor,
High Court, Madras.

+2 cc to M/s.K.balasubramanian,Advocate,SR.28883, 31640

rj(co)
krd 10/7

Crl.OP.No.13625/2015



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