

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.14371 of 2015

Parthasarathy

.. Petitioner

Vs

State by
Inspector of Police,
Economic Offence Wing-II,
Annanagar, Chennai
(Crime No.5/2014)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying, to transfer the investigation of the above said case in Crime No.5/2014 on the file of the respondent herein viz. The Inspector of Police, Economic Offence Wing-II, Anna Nagar, Chennai, to the file of The Superintendent, CBCID, Chennai or any other competent investigating agency for proper investigation and report before competent court.

For Petitioner :Mr.K.Balu

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Petition has been filed praying to transfer the investigation of the above said case in Crime No.5/2014 on the file of the respondent herein viz. The Inspector of Police, Economic Offence Wing-II, Anna Nagar, Chennai, to the file of The Superintendent, CBCID, Chennai or any other competent investigating agency for proper investigation and report before competent court.

2. Heard Mr.K.Balu, learned counsel for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor appearing for the respondent.

3. On a complaint given by the petitioner, the Economic Offences Wing registered a case in Crime No.5 of 2014 under section 420 IPC against the opposite party. The case of the petitioner is that the EOW has failed to include the offences under TNPID Act. It is seen that the petitioner had invested some money in the opposite party's concern and when the opposite party did not return the money, the petitioner had agitated the matter before the opposite party. Thereafter, the petitioner and the opposite party appear to have come to a settlement, whereby the opposite party

conveyed certain lands at the rate of Rs.150 per sq.ft to the petitioner. Now, it is the grievance of the petitioner that, the land that was conveyed will not fetch even Rs.150/- per sq.ft and that the opposite party had cheated him.

4.On the contrary, the respondent police have conducted investigation and a valuation certificate has been obtained from the Sub-Registrar, Uthiramerur, in respect of the said land which states that the value of the land is Rs.300 per sq.ft. Thus, there is no merit in the contention of the petitioner.

5. The learned Additional Public Prosecutor submitted that against the same opposite party, the EOW has registered a separate case in Crime No.1 of 2015 under the TNPID Act on the complaint given by some depositors and the investigation is in progress. Since, the complaint given by the petitioner does not disclose the commission of offence under the TNPID Act, the prayer sought for by the petitioner cannot be granted.

6. Hence, the petition stands dismissed.

nvi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Economic Offence Wing-II,
Annanagar, Chennai

2.The Public Prosecutor,
High Court, Madras.

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RSK(CO)
RVR 01/07/2015