

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.06.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.787 of 2015

Dr.Velusamy

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Petitioner

Vs

The State Represented by
Inspector of Police,
S-7, Madipakkam P.S.
Chennai.

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Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying, to direct the respondent Inspector of Police, S-7, Madipakkam P.S.Chennai, to complete investigation in Crime No.1158 of 2011 and file the final report thereon before the concerned Judicial Magistrate court within the time stipulated by this Hon'ble Court.

For Petitioner :Mr.I.Manjur Alam

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

ORDER

This Criminal Petition has been filed praying to direct the respondent Inspector of Police, S-7, Madipakkam P.S.Chennai, to complete the investigation in Crime No.1158 of 2011 and file the final report thereon before the concerned judicial magistrate court within the time stipulated by this Hon'ble Court.

2. Heard Mr.I.Manjur Alam, learned counsel for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor appearing for the respondent.

3. This is a petition for a direction to the Inspector of Police, S7, Madipakkam Police Station, Chennai to complete the investigation in Crime No.1158 of 2011 and file a final report.

4. Today, Mr.S.Thanraj, Inspector of Police, S7, Madipakkam Police Station, Chennai is present with case diary.

5. On instructions from the Inspector of Police, the learned Additional Public Prosecutor submitted that the investigation in Crime No.1158 of 2011 has almost been completed.

6. While so, the respondent police received the following communication dated 02.04.2013 from the office of the Joint Commissioner of Police, South Zone, St.Thomas Mount, Chennai- 600 016, in which, it is stated as follows:

"Any white Collar offence such as Cheating, Land grabbing, Money disputes should be registered only after my prior approval and if the properties involved are more than Rs.25 lakhs, the case should be referred to Central Crime Branch for further investigation".

Therefore, the respondent police neither proceeded further with the investigation nor took any step to transfer the case to the Central Crime Branch.

7. On a reading of the memo dated 02.04.2013, it appears to be prospective in operation. Assuming for a moment that the said memo would cover pending cases also, this court in exercise of its inherent powers under section 482 Cr.P.C, directs the Inspector of Police, S-7, Madipakkam Police Station to proceed with the investigation in crime No.1158 of 2011 and complete the same, within a period of four weeks and file a final report before the jurisdictional court.

8. With the above observation, this Criminal Original Petition is closed.

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s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police,
S-7, Madipakkam P.S.
Chennai

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.I.Manju Alam, Advocat SR 29219

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