

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1091 of 2016

M/s. Axis  
Bank Ltd.,  
(Formerly known as UTI Bank Ltd.)  
represented by its Assistant Vice President/  
Authorised Signatory,  
M.Gopikrishnan  
Centennial Square, 2<sup>nd</sup> Floor,  
No.6A, Dr.Ambedkar road,  
Kodambakkam,  
Chennai - 600 024. .... Petitioner

Vs

The Inspector of Police  
Central Crime Branch,  
Chennai.  
(Crime No.61 of 2012) .... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.  
to direct the respondent to expedite the investigation in crime  
No.61/2012 by securing the concerned persons and file water hold  
charge sheet against them before the appropriate court at the  
earliest.

For Petitioner : Mr.M.R.Uma Vijayan

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

O R D E R

This petition has been filed to direct the respondent to expedite the investigation in Crime No.61/2012 by securing the concerned persons and file charge sheet against them before the appropriate Court at the earliest.

2. The petitioner is a Company incorporated under the Companies Act, 1956, having its registered office at Delhi and one of its branch office at Chennai. It is a scheduled commercial bank engaged inter alia in the business of providing to its customers financial facilities in the form of Home Loan,

Car Loan and Personal Loan The Bank had extended loan facility to the tune of Rs.49,64,964/- to one P.Kumaravel and Palani on creating equitable mortgage of immovable properties one at Puzhithivakkam, Chennai and another at Madipakkam, Chennai. On default committed by them, the bank had initiated SARFAESI proceedings against them for recovery of dues. At that point of time, it was ascertained that the said P.Kumaravel and Palani, in connivance with the builder M.Vel Murugan of M/s. Pavithra Constructions, had fraudulently forged the documents resulting in multiple encumbrances in order to avert the bank from taking physical possession of the property. A complaint was lodged before the Commissioner of Police on 26.05.2011 and the FIR was registered in Cr.No.61/2012 under sections 120(b), 406, 420, 465, 467, 468 r/w 471 IPC. Till date, there is no progress in the investigation. Hence, the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Learned Additional Public Prosecutor submitted that during the course of investigation, the respondent police have to collect several documents. Therefore, it would take considerable time to complete the investigation.

5. This Court is of the opinion that since the case is of the year 2012, the respondent police should be directed to expedite the investigation. Therefore, this Court directs the respondent police to expedite the investigation and complete the same and file the final report as early as possible. The criminal original petition is disposed of accordingly.

vsi

Sd/-  
Asst.Registrar

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

To

1. The Inspector of Police  
Central Crime Branch, Chennai.

2.The Public Prosecutor, High Court, Madras.  
+ 1 cc to Mr.M.R.Uma Vijayan, Advocate Sr 4674

KR/29/1/16

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सत्यमेव जयते

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