

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7124 of 2015

1.Kri.Ganesaamurthy
2.K.C.Thangaraj

.. Petitioners

Vs.

1.The Superintendent of Police
Erode, Erode District.

2.The State rep. by
Inspector of Police
District Crime Branch (DCB)
Erode District.
(Crime No.31 of 2014)

3.The Inspector of Police
Economic Offence Wing (EOW)
Erode, Erode District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the case in Crime No.31 of 2014 on the file of the second respondent to the third respondent agency or any other special agency for the investigation.

For Petitioner :Mr.P.P.Shanmugasundaram

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

O R D E R

This petition is filed for issuing a direction to the first respondent to transfer the case in Crime No.31 of 2014 on the file of the second respondent to the third respondent agency or any other special agency for the investigation.

2.Learned counsel for the petitioners submitted that the respondents have not investigated the matter in a right direction. The accused are running a partnership firm viz., Kongu Finance Company and they collected money from various

depositors on various dates. After maturity, they have not repaid the amount to the depositors. So far 69 victims have lodged the complaint. After receipt of complaint, the respondents registered a case in Crime No.31 of 2014 for the offences under Sections 120B, 406, 420 and 506(ii) IPC. He further submits that accused 1 to 5 collected nearly Rs.3,69,91,700/-. Though some of the absconding accused have filed Crl.O.P.No.7907 of 2015 for quashing the proceedings in Crime No.31 of 2014, it was dismissed by this Court on 28.01.2016. Even then, the respondents have not taken any steps to arrest A3 to A5 to recover the amount. Therefore, the petitioners have come forward with this petition for the above stated relief.

3.Heard the learned Additional Public Prosecutor.

4.Considering the aforestated facts and circumstances of the case, I am of the view, it is a fit case to transfer the case to the third respondent for investigation. Accordingly, the second respondent is directed to transfer the entire records pertaining to the case in Crime No.31 of 2014 to the third respondent viz., Inspector of Police, Economic Offence Wing, Erode, to investigate the matter and file a final report as expeditiously as possible.

5.The Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

1.The Superintendent of Police,
Erode, Erode District.

2.The Inspector of Police,
District Crime Branch (DCB),
Erode District.

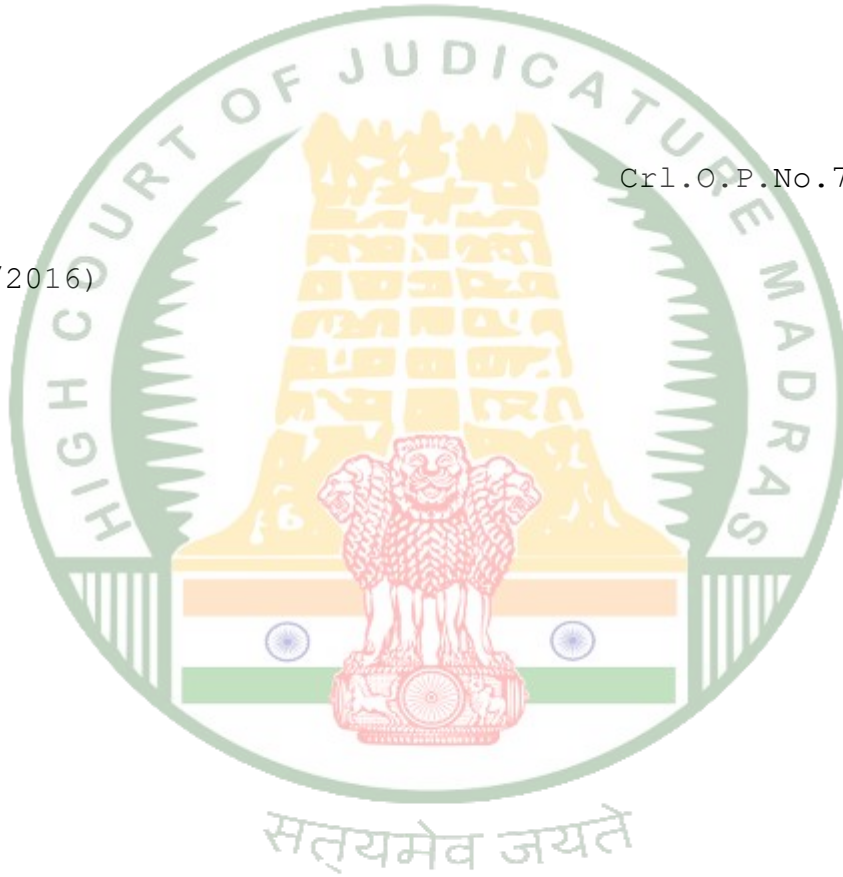
3.The Inspector of Police
Economic Offence Wing (EOW)
Erode, Erode District.

4.The Public Prosecutor
High Court, Chennai.

+lcc to Mr.P.P.Shanmugasundaram, Advocate, S.R.No.16072
+lcc to Mr.C.Prakasam, Advocate, S.R.No.16125

Crl.O.P.No.7124 of 2015

ad(CO)
srg(17/03/2016)



WEB COPY