

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.19707 of 2016

N.K.Shashi Kumar

..Petitioner

Vs

1.The State  
rep by Inspector of Police  
EDF-1, Team I, CCB  
Office of Commissioner of Police  
No.132, EVK Sampath Road, Vepery  
Chennai 600 007.

2.H.Ramesh

3.Urvashi Ramesh ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to take comprehensive inventory of all the property in the form of Machinery, Stocks, materials, tools that are available at (1) Arun Agrotech Ltd., 103, Nemili Village, Valarpuram Post, Sriperumbudur Taluk, Kancheepuram District 602 105 (2) Plot No.A47 & B 12 Phase - I, MEPZ-SEZ, Tambaram, Chennai 600 045 in the presence of an Advocate Commissioner, effect seizure of books and records for the investigation of offences in Crime No.250 of 2013 on the file of EDF-1, Team I, CCB (Central Crime Branch), Chennai.

For Petitioner : Ms.K.Sumathi  
For R1 : Mr.C.Emalias,  
Addl.Public Prosecutor  
For RR 2 : Mr.D.Saikumaran  
R3 : No Appearance

O R D E R

This petition has been filed to direct the respondent police to take comprehensive inventory of all the property in the form of Machinery, Stocks,

materials, tools that are available at (1) Arun Agrotech Ltd., 103, Nemili Village, Valarpuram Post, Sriperumbudur Taluk, Kancheepuram District 602 105 (2) Plot No.A47 & B 12 Phase - I, MEPZ-SEZ, Tambaram, Chennai 600 045 in the presence of an

Advocate Commissioner, effect seizure of books and records for the investigation of offences in Crime No.250 of 2013 on the file of EDF-1, Team I, CCB (Central Crime Branch), Chennai.

2. Heard the learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the State and the learned counsel for the respondents 2.

3. On 22.11.2016, this Court passed the following order:

"Heard Mr.B.Kumar, learned Senior Counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the first respondent and learned counsel appearing for the second respondent.

2. Today, Mr.M.Clastin David, Inspector of Police, EDF-1, Team I, Central Crime Branch, Chennai, is present.

3. On the complaint given by Shashi Kumar, the respondent police registered a case in Cr.No.250 of 2013, alleging that Shashi Kumar had handed over a factory to the accused in trust, and that after taking over the factory he had committed acts of misappropriation and fraud. Hence, the FIR.

4. The accused have been released on Anticipatory Bail. In the meantime, on the complaint of one Sriram, the Inspector of Police, Sriperumbudur Police Station, registered a case in Cr.No.21 of 2014 for the offences u/s 447, 427 IPC against the accused in Cr.No.250 of 2013. The learned counsel for the accused submitted that the second case has been registered, pursuant to the direction issued by this Court u/s 482 Cr.P.C. and that it is a false case. After the registration of the FIR, the said factory is under lock and key.

5. In the considered opinion of this Court, it will be in the interest of justice, if the Cr.No.21 of 2014 is also transferred to the file of Central Crime Branch, so that the same Investigating Officer can look into the veracity of allegations therein.

6. Accordingly, the case in Cr.No.21 of 2014, on the file of Sriperumbudur Police Station, is hereby transferred to the file of EDF-1, Team I, Central Crime Branch, to be investigated along with Cr.No.250 of 2013. The Inspector of police, Sriperumbudur police station is directed to hand

over the entire case diary in Cr.No.21 of 2014 immediately to the Inspector of Police, EDF, Team I, Central Crime Branch, Chennai.

Post on 29.11.2016 for "Reporting Compliance".

4. Today Mr.S.G.Linus, HC 14600, CCB, EDF - Team -1, is present before this Court.

5. Learned Additional Public Prosecutor, on instructions submitted that pursuant to the order passed by this Court, the Investigating Officer is conducting search and investigation is progressing on the right lines.

6. This Court is satisfied with the manner in which the investigation is going on. However, it is represented that the Inspector of Police, Sriperumbudur Police Station has not yet transferred Cr.No.21 of 2014 to the Central Crime Branch, as directed by this Court in the earlier order dated 22.11.2016, on account of certain administrative delay.

7. Accepting the submission of the learned Additional Public Prosecutor, the Inspector of Police, Sriperumbudur Police Station, is directed to comply with the order dated 22.11.2016.

With the above direction, this petition is closed.

Sd/-  
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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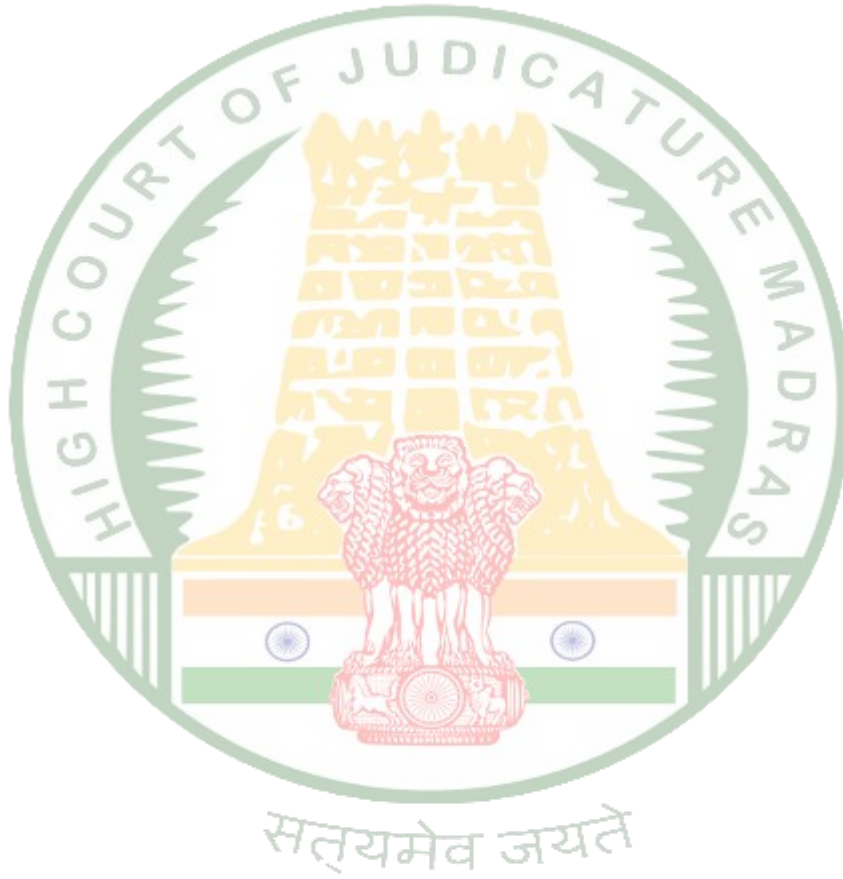
1.The Inspector of Police  
EDF-1, Team I, CCB  
Office of Commissioner of Police  
No.132, EVK Sampath Road, Vepery  
Chennai 600 007.

2.The Inspector of Police,  
Sriperumbudur Police Station

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.D.Saikumaran, Advocate, S.R.No.70367

NRI (CO)  
MA (27/12/2016)



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