

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5444 of 2016

T.B.Jagankumar

.. Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2.The Sub-Inspector of Police,
Job Racketing Team No.VIII,
Vepery, Chennai - 600 007.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent police to register a case on the basis of the complaint of the petitioner dated 21.01.2016.

For Petitioner : Mr.K.A.Mariappan

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

O R D E R

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 21.01.2016.

2.The learned counsel for the petitioner submitted that the proposed accused has received Rs.60 lakhs for getting job to the petitioner, but, he has neither gave the appointment order nor returned the money. Hence, the petitioner has lodged a complaint before the second respondent on 21.01.2016, for which, C.No.265/CCB/Visitors/2016 has been given. But the second respondent has not shown any interest to enquire the matter and register the case. Hence, the petitioner has come forward with this petition for the above stated relief.

3.Resisting the same, the learned Additional Public Prosecutor, on instructions, would submit that after receipt of the complaint from the petitioner, enquiry has been conducted and since the proposed accused has given a fake address in Bombay and he has also given fake address in his bank account at Delhi, the respondent police were unable to arrest the proposed accused. Hence, the complaint was closed.

4.At this juncture, the learned counsel for the petitioner has produced the passport of the proposed accused.

5.Considering the rival submissions made on both sides and since the relevant document has been produced, I am of the view that it is a fit case to re-open the matter and conduct enquiry afresh. Therefore, the second respondent is directed to expedite the enquiry and follow the dictum laid down in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC) and register a case, if any cognizable offence is made out.

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

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2.The Sub-Inspector of Police,
Job Racketing Team No.VIII,
Vepery, Chennai - 600 007.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.K.A.Mariappan, Advocate Sr 16004

KR/21/3/16

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