

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.9076 of 2016

S.Manicka Prakash

... Petitioner

Vs.

1.The Commissioner of Police
Greater Chennai
Chennai.

2.The Inspector of Police
Central Crime Branch
Job Racketing Team
Egmore, Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register a case on the basis of the petitioner's complaint dated 03.03.2016 and investigate the matter in accordance with law.

For Petitioner : Mr.G.Padmanapan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking a direction to the second respondent to register a case on the basis of the petitioner's complaint dated 03.03.2016.

2.The learned counsel for the petitioner submitted that one Srinivasan approached the petitioner and told him that he would get job for him in Government. The petitioner has also been waiting to get appointment for the post of Assistant Agricultural Officer. The said Srinivasan further told that he knew one Lalitha, who is one of the Members of TNPSC and that he had already secured job for many persons. Believing his words, the petitioner paid a sum of Rs.3,00,000/- to them. He further submitted that the said Lalitha had also given a blank cheque for Rs.1,50,000/- as security. But they had neither returned the amount nor given appointment order. Hence, the

petitioner has given a complaint to the respondents on 03.03.2016. But the respondents have not taken any steps to investigate the matter and register a case. Hence, the petitioner has come forward with this petition for the above stated relief.

3.Learned Additional Public Prosecutor, on instructions, would submit that the counter petitioners had already involved in job racketing and that they cheated 18 persons to the tune of Rs.1,13,00,000/- by making promise to get them Government job, out of the said amount, Rs.23,85,000/- has been settled and the balance amount was not settled. He would further submit that one Thiruneelakandan has lodged a complaint against the counter petitioners, on that basis, a case in Crime No.54 of 2016 has been registered for the offences punishable under Sections 406 and 420 IPC. In that case, the petitioner herein was examined as L.W.7. Hence, there is no necessity for registering another F.I.R. for the same occurrence. Therefore, he prays for dismissal.

4.Considering the rival submissions made on both sides, the counter petitioners viz., Lalitha and Srinivasan had cheated Rs.1,13,00,000/- from nearly 18 persons for getting appointment order in Government, out of which, Rs.23,85,000/- has been settled. Since one Thiruneelakandan, who is one of the affected party, has given the complaint against the counter petitioners and based upon the same, a case has been registered in Crime No.54 of 2016 for the offences punishable under Sections 406 and 420 IPC and the petitioner herein was already examined as L.W.7, I am of the view that there is no necessity for registering another F.I.R. for the same occurrence. Therefore, recording the submissions made by the learned Additional Public Prosecutor, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police
Greater Chennai
Chennai.

2.The Inspector of Police
Central Crime Branch
Job Racketing Team
Egmore, Chennai.

3.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.G.Padmanapan, Advocate, S.R.No.27174

Cr1.O.P.No.9076 of 2016

UG(CO)
CA(31/05/2016)



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