

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.4778 of 2017

G.Anbalakan

... Petitioner

Vs

1. The Director General of Police,
Kamarajar Salai,
Chennai.

2. The Superintendent of Police,
Thiruvannamalai District.

3. The Inspector of Police,
CBCID, Chennai.

4. The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the case in Crime No.514 of 2016 on the file of the fourth respondent police to some other independent agency like CBCID.

For Petitioner : M/s.Dass and Viswa Associates

For Respondents : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed to transfer the case in Crime No.514 of 2016 from the file of the fourth respondent police to some other independent agency like CBCID.

2. It is the case of the petitioner that he approached one Mani, who belongs to a political party and parted with a sum of Rs.3,70,000/- to him in order to get the job of Mechanic in the Government Transport Corporation, Villupuram. Since the said

Mani did not get him a job as promised, the petitioner lodged a complaint before the fourth respondent police to take appropriate action against the said Mani. As no action was forthcoming, he has filed the present petition for the above stated relief.

3. After due notice, the learned Additional Public Prosecutor filed a status report, wherein, it is averred that on the basis of the complaint lodged by the petitioner, the fourth respondent has registered a case in Crime No.514 of 2016 under Sections 294(b), 420 and 506(i) IPC and examined nine witnesses and recorded their statements. Pursuant to the same, the said Mani was arrested on 12.01.2017 and his confession statement was recorded in the presence of the witnesses and thereafter, he was produced before the learned Judicial Magistrate, Cheyyar and remanded to judicial custody. It is further averred in the status report that the petitioner / defacto complainant submitted a C.D. as regards the conversation held between him and the accused Mani on various dates, however, he did not produce his mobile, sim card and memory card, which was stoutly denied by the petitioner. Thereafter, on the basis of the available materials, the Investigating Officer filed a charge sheet for the offences punishable under Sections 294(b), 420 and 506 (i) IPC on 20.03.2017 before the learned Judicial Magistrate, Cheyyar and the same is yet to be taken on file.

4. In view of the status report filed by the fourth respondent, this Court is of the opinion that the relief sought for by the petitioner cannot be granted in this petition. However, this Court deems it appropriate to direct the learned Judicial Magistrate, Cheyyar to take up the charge sheet filed in Cr.No.514 of 2016 on file and proceed further in accordance with law, as expeditiously as possible. If the petitioner is having any grievance, it is open to him to approach the competent Court for appropriate relief.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate, Cheyyar.
 2. Do Thro The Chief Judicial Magistrate
Thiruvannamalai
 3. The Director General of Police,
Kamarajar Salai,
Chennai.
 - 4.The Superintendent of Police,
Thiruvannamalai District.
 - 5.The Inspector of Police,
CBCID, Chennai.
 - 6.The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
 - 7.The Public Prosecutor,
High Court, Madras.
- +1 CC to M/s.Dass and Viswa Associates, sr 22708

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