

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2018

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.10330 of 2018

Shanthi Narayanan
D/o.Narayanan

.. Petitioner

Vs

1. State rep. by
The Deputy Commissioner of Police
Mylapore, Chennai.
2. The Inspector of Police
E-5, Foreshore Estate Police Station
Chennai-600 028.
3. The Inspector of Police
Central Crime Branch
Commissioner Office Building
Vepery, Chennai-600 007.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the 2nd respondent herein to transfer the case to the 3rd respondent herein and subsequently, register the complaint dated 01.03.2018 and proceed with the investigation in accordance with law.

For Petitioner : Mrs.Vijayalakshmi K.Rajarattna

For Respondents : Mrs.Kritika Kamal. P
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking to direct the 2nd respondent herein to transfer the case to the 3rd respondent herein and subsequently, to register the complaint dated 01.03.2018 and proceed with the investigation in accordance with law.

2. The petitioner entered into a lease agreement with one Mrs.G.Kanagavalli on 10.10.2017, under which, the petitioner is said to have been paid Rs.5 Lakhs for getting the lease of the property bearing Door No.48/204, Raja Gramini Garden, Salaiyar Street, Chennai-600 028.

3. It is the case of the petitioner that after having entered into the lease agreement and after having received Rs.5 Lakhs, the said Kanagavalli is neither handing over the leased property nor returning the lease amount of Rs.5 Lakhs. In this regard, the petitioner has given a complaint to the Sub Inspector of Police, Foreshore Estate Police Station, based on which, a petition enquiry is pending in CSR.No.84 of 2018. The petitioner has filed the present petition for transferring the complaint in CSR No.84 of 2018 to the CBCID for investigation.

4. Heard Mrs.Vijayalakshmi K.Rajarattna, learned counsel for the petitioner and Mrs.Kritika Kamal.P., learned Government Advocate (Crl.Side) for the respondents.

5. At the outset, the complaint cannot be transferred to the CBCID, when a regular FIR itself has not been registered by the local police. That apart, the allegations made in the complaint does not warrant the investigation at the hands of the CBCID.

6. The learned counsel for the petitioner submitted that the said Kanagavalli is a local politician and that she has collected money from several persons and has cheated them.

7. Taking into consideration the allegations made in the complaint, this Court directs the Inspector of Police, Foreshore Estate Police Station to conduct thorough enquiry on the complaint in CSR.No.84 of 2018 and during the enquiry, if it is found that Mrs.Kanagavalli is a cheat, the police is directed to register a regular FIR against her and take action in accordance with law.

8. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police
Mylapore, Chennai.
2. The Inspector of Police
E-5, Foreshore Estate Police Station
Chennai-600 028.

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3. The Inspector of Police
Central Crime Branch
Commissioner Office Building
Vepery, Chennai-600 007.

4. The Government Advocate (Crl.Side)
High Court, Madras.

+lcc to Mr.Vijayalakshmi, Advocate SR.No.24656

CRL.OP.No.10330 of 2018

GN(10/04/2018)



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