

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 23.10.2018

CORAM
THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20840 of 2018

P.Saraswathy

.. Petitioner

Vs

1.The Commissioner of Police,
greater Chennai Police,
Commissioner office building,
EVK Sampath Road, Vepery,
Chennai - 600 007.

2.The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai District.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to issue a direction directing the second respondent to
investigate the case and file the final report in the Crime
No.73 of 2018 which is pending on the file of the respondent
herein in accordance with law.

For Petitioner : Mr.A.Esakkiappan

For Respondents : Mr.C.Raghavan, GA

O R D E R

This Criminal Original Petition has been filed to direct the
2nd respondent to file Final Report in Crime No.73 of 2018 dated
31.01.2018.

2.Heard the learned counsel appearing for the petitioner and
the learned Government Advocate appearing for the respondents.

3.Saraswathi gave a complaint to the respondent Police and
since, Police did not take any action, she filed
Crl.O.P.No.29118 of 2017 for a direction to the Police to
register an FIR on her complaint. On the directions of this
Court, the Sub Inspector of Police, R-2 Kodambakkam Police
Station registered a case in Crime No.73 of 2018 on 31.01.2018
under Sections 406 and 420 IPC against four named accused and
thereafter, there has not been any worthwhile investigation.
Under such circumstances, the de facto complaint is before this
Court with the above prayer.

4.The Inspector of Police, R-2 Kodambakkam Police Station has filed a Status Report dated 10.10.2018, wherein, he has narrated the allegations in the FIR and has further stated that the principal accused are in abscondence. A reading of the FIR shows that the de facto complainant is a Postal Agent and she had appointed one Srinivasan as Collection Agent to collect the monthly payments from account holders and for depositing the collected amount in the Post Office. While so, Srinivasan and his wife had collected amounts to a tune of Rs.41,16,000/- relating to 28 Recurring Deposit accounts and had not deposited the amount in the Post Office. However, they fabricated the Post Office seal and have affixed them in the Pass Book in order to make the de facto complainant believe that the amount has been deposited in the Post Office. When the Recurring Deposits matured, it came to light that the amount was not actually deposited with the Post Office. Hence, the complaint and the consequent FIR.

5.In the opinion of this Court, the 2nd respondent Police is essentially a law and order unit and they may not have the necessary expertise to investigate a case of this nature. Therefore, this Court directs the transfer of investigation in R-2 Kodambakkam Police Station Crime No.73 of 2018 to the CBCID (Metro), Chennai and accordingly, the Inspector of Police, R-2 Kodambakkam Police Station is directed to hand over the Case Diary to the Superintendent of Police, CBCID (Metro), North Zone, Chennai, within two weeks from the date of receipt of a copy of this order and thereafter, the same shall be entrusted to a competent officer in the CBCID for investigation.

With the above direction, this petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
greater Chennai Police,
Commissioner office building,
EVK Sampath Road, Vepery,
Chennai - 600 007.

WEB COPY

2.The Superintendent of Police,
CBCID (Metro), North Zone, Chennai

3.The Inspector of Police,
R2 Kodambakkam Police Station,
Chennai District.

4.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.Esakkiappan, Advocate, S.R.No.72278

CRL.OP.No.20840 of 2018

NRL(CO)

rrs 01/11/2018



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