

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.08.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.2569 of 2013

S.Rahamath Ali

... petitioner

Vs

1.State by:The Commissioner of Police,
Chennai City,
Egmore, Chennai 600 008.

2.The Inspector of Police,
S-1 ST.Thomas Mount Police Station,
Chennai.
(Cr.No.793 of 2011)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to issue direction to the respondents to transfer the investigation in crime number 793/2011 on the file of the respondent-2 to the CCB, Land grabbing Cell, Egmore, Chennai.

For Petitioner : Mr.P.Pugalenthí

For Respondents : Mr.T.Shanmugarajeswaran
Government Advocate(Cr1.Side)

ORDER

This petition has been filed by the defacto complainant under Section 482 Cr.P.C., to issue direction to the respondents to transfer the investigation in Cr.No.793 of 2011 pending on the file of the respondent-2 to the CCB, Land Grabbing Cell, Egmore, Chennai.

2.The learned Counsel for the petitioner has submitted that the accused, by giving false promise that he will sell his land situated in Tuticorin District, had obtained a sum of Rs.37,00,000/- from the petitioner and subsequently he did not sell the land nor repay the said amount and hence the petitioner has lodged a complaint before the second respondent. Based on the said complaint, second respondent registered a case in Cr.No.793 of 2011 under Sections 420 and 506(1) IPC. He further submitted that after registering the case, the respondent has not investigated the matter and hence, he requests to direct the respondents to transfer the above case to CCB, Land Grabbing Cell, Egmore, Chennai.

3.The learned Government Advocate (Criminal side) has submitted that after registering the case, the second respondent investigated the matter and further action has been dropped on 27.12.2011. With regard to that, a report has also been filed before the concerned Judicial Magistrate.

4. Recording the submission made by the learned Government Advocate(Criminal Side), this petition is dismissed as infructuous. It is open to the petitioner to avail any other remedy which is available under the law.

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

ggi

To

- 1.The Commissioner of Police,
Chennai City,
Egmore, Chennai 600 008.
- 2.The Inspector of Police,
S-1 ST.Thomas Mount Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.P.Pugalenthhi , Advocate SR.No. 55610

Crl.O.P.No.2569 of 2013

pvs(co)

ASK(07/09/2018)

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