



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.28787 of 2017
and CrI.M.P.No.1848 of 2018

P.Rangabhashyam

...Petitioner

-Vs-

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
CCB-II ALGSC-II,
Vepery, Chennai - 600 007.

3.T.R.Pachamuthu @ Parivendhan

4.Ravi Pachamuthu

5.D.V.Gopal

... Respondents

(R3 to R5 are impleaded as per the order
of this Hon'ble Court dated 12.02.2018
made in CrI.M.P.No.1848 of 2018 in
CrI.O.P.No.28787 of 2017)

Prayer: Criminal Original petition filed under Section 482 of
Code of Criminal Procedure, to direct the first respondent to
direct the 2nd respondent to seize the documents from the custody
of the opposite party and proceed investigation as per law.

For Petitioner	: Mr.R.C.Paul Kanagaraj
For R1 & R2	: Mr.M.Mohamed Riyaz Additional Public Prosecutor
For R3 & R4	: Mr.B.Sudhir Kumar
For R5	: Mr.K.Balasubramaniam

ORDER

This Criminal Original Petition has been filed for direction
to the respondent police to seize the documents from the custody
of the opposite party and proceed with the investigation.



2. When this matter came up for hearing during the last occasion, this Court passed the following order:

''This Court has already passed an order in Crl.O.P.No.18892 of 2017, directing the respondent police to register First Information Report based on the complaint given by the petitioner by following the guidelines in Lalita Kumari Vs. Government of Uttar Pradesh and other reported in (2013) (6) CTC 353.

The learned Additional Public Prosecutor submitted that the enquiry is continuing without an FIR being registered. The learned Additional Public Prosecutor therefore, sought time in order to report compliance of order of this Court in Crl.O.P.No.18892 of 2017.''

3. Today, when the matter was taken up for hearing, the Additional Public Prosecutor on instructions would submit that the second respondent has registered an FIR in Crime No.206 of 2018 on 22.11.2018 for an offence under Sections 420, 465, 468, 471 and 506(i) IPC.

4. The learned Additional Public Prosecutor also submitted that the police during the course of investigation the police will take into consideration the documents and if required seize those documents.

5. Mr. B. Sudhir Kumar, the learned counsel appearing for third and fourth respondents and Mr. K. Balasubramaniam appearing for fifth respondent submitted that there are absolutely no merits in the complaint filed by the petitioner and they have sufficient materials to prove the same.

6. In view of the fact that the respondent police has already registered an FIR and investigation has started, the parties are liberty to place all the materials before the second respondent. The second respondent shall consider the same in the course of investigation. The parties shall cooperate during the investigation by placing all the materials before the second respondent. The second respondent shall conduct the investigation effectively and shall file a final report or a closure report, as the case may be, after the completion of investigation, as expeditiously as possible.



7. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsa/LPP

To

- 1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.
- 2.The Inspector of Police,
CCB-II ALGSC-II,
Vepery, Chennai - 600 007.
- 3.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Dr.V.Venkatesan, Advocate sr.no.80700

Crl.O.P.No.28787 of 2017
and Crl.M.P.No.1848 of 2018

rgn(co)
nr 18/12/2018