

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.24294 of 2018

N.M.Mohamed Ali

..Petitioner

Vs.

1. Superintendent of Police,
Vellore.

2. Deputy Superintendent of Police,
District Crime Branch, Vellore.

..Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to transfer the investigation of the petitioner's complaint dated 05.06.2018 to the file of CBI.

For Petitioner : Ms.A.B.Fathima Sulthana
For Respondents : Mr.C.Raghavan, Govt. Advocate

O R D E R

It is seen that this petitioner has given a complaint dated 05.06.2018 to the Commissioner of Police, Vepery, Chennai and it is the case of the petitioner that the said complaint was transferred for want of territorial jurisdiction to the file of the District Crime Branch, Vellore. Under such circumstances, the petitioner is before this Court with the above prayer.

2.Heard the learned counsel for the petitioner and perused the materials placed on record.

3.On a perusal of the complaint, it is alleged by the petitioner that he was cheated by one Dr.Perumal, with whom the petitioner has had online trading. It is the further case that out of Rs.77lakhs given by the petitioner, Rs.35lakhs has been returned and for the balance, some cheques were issued, which were dishonoured. However, the District Crime Branch have conducted enquiry and have closed the case with an advice to the petitioner to approach the Economic Offences Wing, CBCID for appropriate action. A copy of the Closure Report has been furnished to the learned counsel for the petitioner across the bar. In the light of the law laid down by the Supreme Court in State of West Bengal Vs The Committee for Protection of Democratic Rights [(2010) 3 SCC 571], this is

not a fit case to order CBI investigation. Hence, this petition is closed.

Gya

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1.The Superintendent of Police,
Vellore.

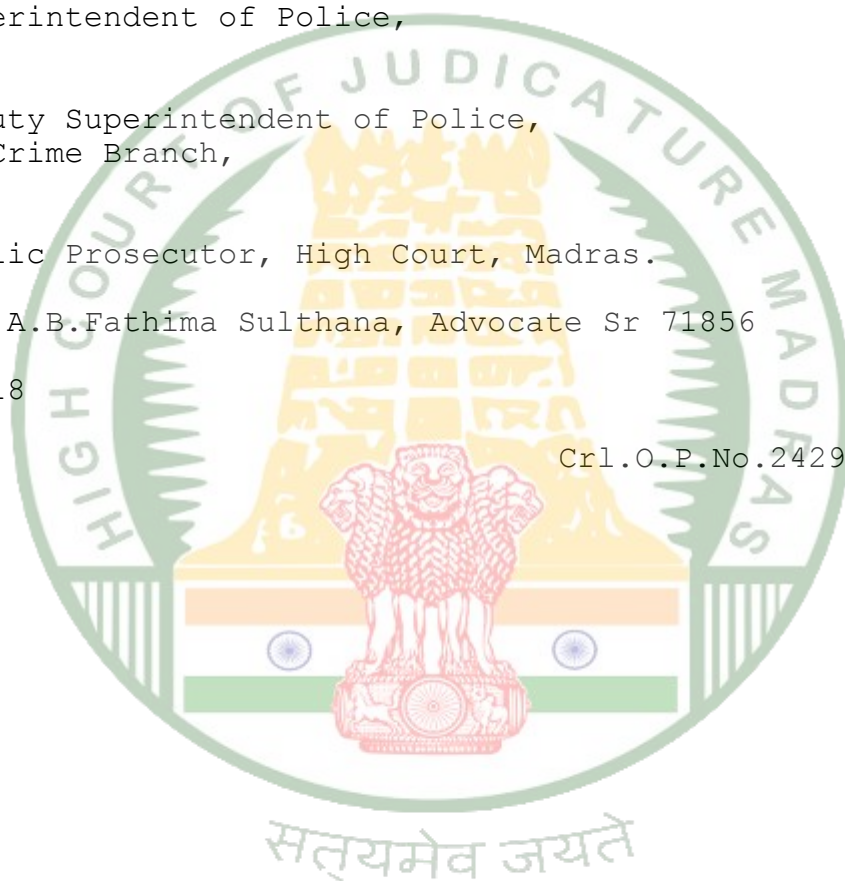
2.The Deputy Superintendent of Police,
District Crime Branch,
Vellore.

3.The Public Prosecutor, High Court, Madras.

+ 1 cc to A.B.Fathima Sulthana, Advocate Sr 71856

KR/13/11/18

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