IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.11.2018
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.25241 of 2018

A & A Dukaan Financial Services
Private Limited (Bank Bazaar),
represented by its Senior Legal Counsel
Mr.Navneet Lal, 3rd Floor, Hameedia Center,
14/43, Haddows Road, Nungambakkam,
Chennai-600 006. .. Petitioner

Vs.

1.The State represented by,
The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai-600 006.

2.The State, represented by,
The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai-600 006.

3.The State, represented by,
The Addl. Commissioner of Police,
Central Crime Branch, Chennai Police,
Verpery, Chennai-600 007. ..Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, praying to transfer the further investigation of FIR bearing No.147 of 2018 dated 15.02.2018, complaint registered under CSR No.61 of 2018 dated 26.02.2018 and all other complaints/supplementary complaints made by the petitioner pending with 1st and 2nd respondent to a special team under the 3rd Respondent investigating banking frauds such as the Bank Fraud Prevention Wing or any other appropriate special team.

For Petitioner : Mr.S.Raja Sekar
for M/s.Sashidhar Sivakumar
For Respondents: Mr.Raghavan
Government Advocate (Crl.Side)

O R D E R

This petition has been filed seeking for transfer of investigation in Crime No.147 of 2018 and also for the transfer of the subsequent complaints in CSR No.61 of 2018 and other supplementary complaints.

2.The learned counsel for the petitioner would submit that the petitioner company has received about 31 complaints from individuals, on the ground that based on telephone calls, by using the name of the petitioner company, certain accused persons have received money by transfer through On-line and also through other means. The learned counsel would submit that nearly 163 victims are there in this case and the total amount of about nearly Rs.40,50,000/- has been cheated. The case is now being investigated by the first and second respondents.

3.According to the learned counsel for the petitioner, since this case involves fraud committed through On-line and by using the name of the petitioner company, which is a financial institution, the investigation has to be conducted by a specialised agency.

4.The learned Government Advocate (Crl.Side) would submit that the entire case can be transferred to the file of the Sub-Inspector of Police, Bank Fraud Prevention Wing , Central Crime Branch.

5.Taking into consideration the nature of crime that has been committed in this case and since a specialised agency is required to investigate the case of this nature, this Court deems it fit to transfer the entire investigation to the Bank Fraud Prevention Wing, under the Central Crime Branch, Chennai. The first and second respondents are directed to hand over the entire Case Diary in Crime No.147 of 2018 and also the Subsequent complaints to the Joint Commissioner, Central Crime Branch, Chennai, within a period of two weeks from the date of receipt of a copy of this order. The Joint Commissioner shall allot this case to Bank Fraud Prevention Wing in the Central Crime Branch and shall direct the specialised team to investigate the case and to file a final report as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

stm

To

1. The Inspector of Police,
   F-3, Nungambakkam Police Station,
   Chennai-600 006.

2. The Inspector of Police,
   F-4, Thousand Lights Police Station,
   Chennai-600 006.

3. The Addl. Commissioner of Police,
   Central Crime Branch, Chennai Police,
   Verpery, Chennai-600 007.

4. The Public Prosecutor,
   High Court, Madras.

5. The Joint Commissioner,
   Central Crime Branch,
   Chennai Police, Vepery, Chennai.

+1cc to M/s.Sashidhar Sivakumar, Advocate, S.R.No.80672

Crl.O.P.No.25241 of 2018

VGI(CO)
CS/07/12/2018