

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:23.11.2018
CORAM:
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.No.27256 of 2018

Anburaj

... Petitioner

Vs.

1.The Commissioner of Police,
Vepery, Chennai - 7.

2.The Assistant Commissioner of Police,
Chennai Crime Branch,
Egmore, Chennai - 8.

3.The Inspector of Police,
Triplicane Police Station,
Triplicane, Chennai.

...Respondents

Prayer: Criminal Original petition filed under Section 482 of the Criminal Procedure Code, to transfer the investigation in Crime No.553/2008 on the file of the third respondent to second respondent.

For Petitioner : Mr.R.Rajarajan

For Respondents : Mr. M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for transfer of investigation, which is now pending before the third respondent in Crime No.553 of 2008.

2. The learned counsel for the petitioner would submit that the accused persons have received a sum of Rs.19,00,000/- from the petitioner for the purpose of securing a job to the wife of the petitioner and thereafter, the petitioner cheated and the money was also not repaid. According to the learned counsel for the petitioner, there is big group, which is involved in this Crime and the third respondent police has not investigated this case for the last 10 years. Therefore, the present petition has been filed seeking for transfer of the investigation.

3. The learned Additional Public Prosecutor on instructions, would submit that the third respondent has registered the FIR on 13.07.2018, for the offence under Sections 120 (b) and 420 of Indian Penal Code, against four accused persons and till date the investigation is pending.

4. It is seen that the FIR itself has named four accused persons. It is not known how the FIR is kept pending for the last ten years without any progress. The petitioner, who lost a sum of Rs.19,00,000/-, has been made to run from pillar to post and there is absolutely no progress in the investigation.

5. In the facts and circumstances of the case, this Court is satisfied that the third respondent has not investigated the case in a proper manner and therefore the investigation needs to be transferred before the appropriate Agency. The FIR in Crime No.553 of 2008, pending before the third respondent police is transferred to the file of the CCB Job Racketing Team, Egmore, Chennai. The third respondent is directed to hand over the entire CD file within a period of ten days from the date of receipt of a copy of this order to the Inspector of police CCB Job Racketing Team, Egmore, Chennai. Immediately on receipt of the case dairy the CCB shall proceed further with the investigation and take appropriate action against the accused persons in accordance with law and complete the investigation as expeditiously as possible and file a final report.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

nmm/dss

To

1. The Commissioner of Police,
Vepery, Chennai - 7.

2. The Assistant Commissioner of Police,
Chennai Crime Branch,
Egmore, Chennai - 8.

3. The Inspector of Police,
Triplicane Police Station,
Triplicane, Chennai.

4. The Inspector of police CCB Job Racketing Team, Egmore, Chennai.

5. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.R.Rajarajan , Advocate SR.No. 79979

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ASK(04/01/2019)