



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM:

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2186 of 2018

Jancy Mary

... Petitioner/Accused No.17

-vs-

1. The Superintendent of Police,
Maduari District,
Madurai.

2. The Inspector of Police,
Economic Offences Wing II,
Madurai.

3. The Inspector of Police,
District Crime Branch,
Madurai District,
Madurai.

... Respondents/Complainants

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to take up the investigation of the case in Crime No.64 of 2015, dated 05.12.2015, on the file of the third respondent by assigning a fresh crime number on his file and to lay the final report within a stipulated time.

For Petitioner : Mr.J.Selvam

For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the Accused No.17, to direct the second respondent to take up the investigation of the case in Crime No.64 of 2015, from the file of the third respondent by assigning a fresh Crime No on his file and file final report within the time, which may be fixed by this Court.

2. The learned counsel appearing for the petitioner has submitted that the third respondent has originally registered a



case in Crime No.64 of 2015, and thereafter, the second respondent has taken the investigation without assigning any new Crime No and that is against the provision of law. He further submitted that the second respondent may be directed to assign a fresh crime number and file final report, at early.

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3.The learned Government Advocate (Cr1. Side) has submitted that one of the depositors, namely., Maheshwari gave a complaint stating that she has been cheated and hence, the third respondent has registered a case in Crime No.64 of 2015 and subsequently, another person, namely., Sankarasubramanian has lodged a complaint before the second respondent and based on that complaint, a case was registered in Crime No.1 of 2016 by the second respondent. He further submitted that in respect of the aforesaid offences, so far, the second respondent has received 15,000 complaints from various persons. He further submitted that as per the order passed by the Director General of Police and the Additional Director General of Police, both the First Information Reports have been taken up by the second respondent for investigation and since, 15,000 complaints have been received, the investigation is getting delayed.

4.Only, as per the order passed by the Director General of Police and the Additional Director General of Police, the case in Crime No.64 of 2015 has been transferred to the second respondent for investigation and merely because, the second respondent has not assigned fresh crime no, it cannot be said that the second respondent is not entitled to investigate the matter. Taking into consideration the representation made by the learned Government Advocate (Cr1. Side) that so far 15,000 complaints have been received, the second respondent is directed to expedite the investigation and file a final report within a period of six months from the date of receipt of copy of this order.

5.With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District,
Madurai.



2. The Inspector of Police,
Economic Offences Wing II,
Madurai.

3. The Inspector of Police,
District Crime Branch,
Madurai District,
Madurai.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5.+ 1 cc TO Mr.J.Selvam , Advocate in SR No. 50874

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AE/JC/SAR2/23.03.2018/3P/6C

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23.02.2018