



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.15976 of 2017

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S.Pandurengan

: Petitioner

-Vs-

The Joint Director,
Central Bureau of Investigation (ACB),
No.26, Haddows Road,
Nungambakkam,
Chennai-600 006.

: Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the respondent to register a case on the complaint of the petitioner dated 19.09.2017.

For Petitioner : Mr.S.Lingarasu
For Respondent : Mr.S.Jayakumar,
Special Public Prosecutor for CBI Cases

O R D E R

The petitioner sent a complaint dated 19.01.2016 to the Joint Director of CBI alleging that some contractors had caused loss to the tune of Rs.35,52,809/-. Thereafter, the petitioner sent another complaint dated 19.09.2017 reiterating about the earlier complaint dated 19.01.2016 and has, thereafter, filed the present petition for a direction to the CBI to register an FIR.

2. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for CBI Cases.

3. At the outset, this petition is not maintainable, in the light of the law laid down by this Court in *Sugesan Transport Pvt. Ltd., v. the Assistant Commissioner of Police, J2 Adyar Police Station, Chennai* and another reported in 2016(5) CTC 577.

4. However, on a reading of the complaint, it is bereft of any particulars warranting registration of an FIR. The petitioner has made vague allegations that Rs.35,52,809/- has been misappropriated, based on the information obtained by the petitioner under the Right to Information Act to the effect that Rs.10,25,696/- was recovered from a contractor. In *State of West Bengal vs. Committee for Protection of Democratic Rights* [2010(3) SCC 571], the Supreme Court has very clearly stated that the Court should not direct CBI investigation without adequate reasons thereof. In such view of the matter, it is not a fit case in which the prayer of the petitioner for CBI investigation can be ordered.



5. In the result, this Criminal Original Petition is devoid of merits and accordingly, the same is dismissed.

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/True Copy/

Sd/-

Assistant Registrar (RTI)

Sub Assistant Registrar

To

1. The Joint Director,
Central Bureau of Investigation (ACB),
No.26, Haddows Road,
Nungambakkam,
Chennai-600 006.
2. The Special Public Prosecutor for CBI Cases,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.O.P. (MD) No.15976 of 2017
Dated: 19.01.2018

SML

JM/MR/SAR 4/07.02.2018/2P/3C