



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.16921 of 2018

K.Selvaprakasam

: Petitioner

Vs.

1.The Commissioner of Police,
O/o.The Commissioner of Police,
Subramaniamapuram,
Trichy City.

2.The Inspector of Police,
Cantonment, Trichy City.
(Crime No.1718 of 2017)

3.The Inspector of Police,
Special Investigation Team,
CB CID, Trichy.

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to pass an order to transfer the investigation in connection with the Crime No.1718 of 2017 dated 21.10.2017 on the file of the 2nd respondent to the 3rd respondent and direct the 3rd respondent to conduct further investigation.

For Petitioner : Mr.R.Venkatesan

For Respondents: Mr.M.Chandra Sekaran

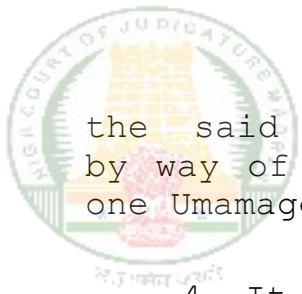
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed for a direction to transfer the investigation in connection with the Crime No.1718 of 2017 dated 21.10.2017 on the file of the 2nd respondent to the 3rd respondent and direct the 3rd respondent to conduct further investigation.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.It is seen from the records that the petitioner is a dealer in buying and selling Cars. The accused persons sold a Car to the petitioner for a sale consideration of a sum of Rs.5,45,000/- and



the said amount was paid by the petitioner to the accused persons by way of cheque. This Car was inturn sold by the petitioner to one Umamageswari.

4. It came to light when the said Umamageswari was informed by her service centre that the Car has met with a major accident and all the parts inside of the Car is totally damaged. Therefore, the petitioner was forced to return the entire purchased money to the said Umamageswari. Subsequently, the petitioner had given a complaint against the accused persons on the grounds that he was cheated by giving a defective Car and most of the original parts have been replaced and the petitioner was deceived by the accused persons. Since no action was taken on the complaint, the petitioner filed an application under Section 156(3) Cr.P.C against the accused persons for the offences of cheating, forgery, breach of trust. The learned Judicial Magistrate No.II, Trichy passed an order in the said application and thereafter, the second respondent has registered an F.I.R, in Crime No.1718 of 2017 dated 21.10.2017 for the alleged offences punishable under Sections 294 (b), 406, 420, 506(ii) I.P.C.

5.The learned counsel for the petitioner would submit that even after registration of the F.I.R., there has been absolutely no action taken on the side of the second respondent. He would further submit that the accused persons are influential and therefore, the respondent is not taking any action.

6.In the facts and circumstances of the case, this Court deems it fit to direct the Superintendent of Police, Trichy to monitor the investigation done by the second respondent in Crime No.1718 of 2017. The second respondent is directed to carry on with an effective investigation on the monitoring done by the Superintendent of Police, Trichy. The second respondent shall continue the investigation and file a final report as expeditiously as possible.

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

Sd/-

Assistant Registrar (CRL-SIDE)

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To

1. The Judicial Magistrate No.II, Trichy.
2. The Commissioner of Police,
O/o.The Commissioner of Police,
Subramaniyapuram, Trichy City.
3. The Superintendent of Police, Trichy.
4. The Inspector of Police,
Cantonment, Trichy City.
5. The Inspector of Police,
Special Investigation Team,
CB CID, Trichy.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Ms.RIGHT LAW ASSOCIATES, IN SR NO.86062

DAS

BU/RP/SAR-III : 09.10.2018 : 3P/8C

Cr1.O.P.[MD].No.16921 of 2018
24.09.2018