

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.19500 OF 2013

Seshagiri Rao

... Petitioner

Versus

1. The Inspector of Police, [Crime],
H-8 Thiruvottriyur Police Station,
Thiruvottriyur, Chennai-600 019.
[Crime No.587 of 2013]

2. The Superintendent of Police,
Central Bureau of Investigation,
Chennai.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the FIR in Crime No.587 of 2013 now pending on the file of the 1st respondent herein to the file of the 2nd respondent herein and further direct them to investigate the matter and file a final report within a stipulated period of time.

For Petitioner : M/s.A.Thirumaran

For Respondents: M/s.K.Srinivasan,
Special Public Prosecutor [CBI Cases]

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.587 of 2013, on the file of the 1st respondent.

2.The petitioner lodged a complaint dated 26.11.2012 before the 1st respondent, who on receipt of the same, registered a case in Crime No.587 of 2013 for the offence under Sections 406, 420, 463, 464, 467, 468, 471 & 477 IPC against the accused Amirthammal. The case is that the petitioner is a senior citizen, retired from the Coramandel Fertilizer, Ennor as Deputy Manager on 31.12.2012. The petitioner had deposited his

retirement benefits for a sum of Rs.6,00,000/- (Rupees six lakhs only) in the Post Office, Thiruvottriyur Main Branch, Theradi on 10.01.2007 at the instant of the accused Amirthammal, who is known to the petitioner for the past twenty years and she residing nearby area and claiming that she was a licensed agent of the postal department, authorized to collect deposit in favour of the postal department. The petitioner had deposited a sum of Rs.6,00,000/- (Rupees six lakhs only) of his retirement benefits and its terminal benefits. The petitioner used to get a sum of Rs.13,500/- (Rupees thirteen thousand five hundred only) as interest every quarterly of the year. The accused Amirthammal used to assist the petitioner, whenever he has gone to the post office. Further, the accused Amirthammal was in possession of the bank pass book and other particulars of the petitioner. Till January 2012, the petitioner was receiving the interest from the postal department. Since the petitioner has not received the interest amount for the month of March 2012, he went to the postal office and found that the entire amount was withdrawn on 18.01.2008 and the amount so withdrawn was Rs.5,91,000/- (Rupees five lakhs ninety one thousand only) after deducting the preclosure amount. The petitioner did not make any such withdrawn. Hence, the petitioner had given a complaint dated 26.11.2012 to the respondent. Similar complaint had been received by the Inspector of Police CBI, ACB, Shastri Bhavan, who took up the investigation and a case in Crime No.RC MA1 2012 A 0054 came to be registered for the offence under Sections 120-B r/w 420, 409, 467, 468 r/w 471, 477-A IPC and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 against the accused Amirthambal and eleven others.

3.The learned Special Public Prosecutor [CBI Cases] appearing for the 2nd respondent submitted that on completion of the investigation in Crime No.RC MA1 2012 A 0054, charge sheet came to be filed and the same is taken on file as C.C.No.14 of 201, pending trial on the file of the XII Additional Special Judge for CBI Cases, Chennai and the trial is in progress. So far the prosecution has examined six witnesses and the chief examination of PW7 is going on and the petitioner is listed as LW21.

4.In view of the above, nothing survives in this petition. Hence, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar

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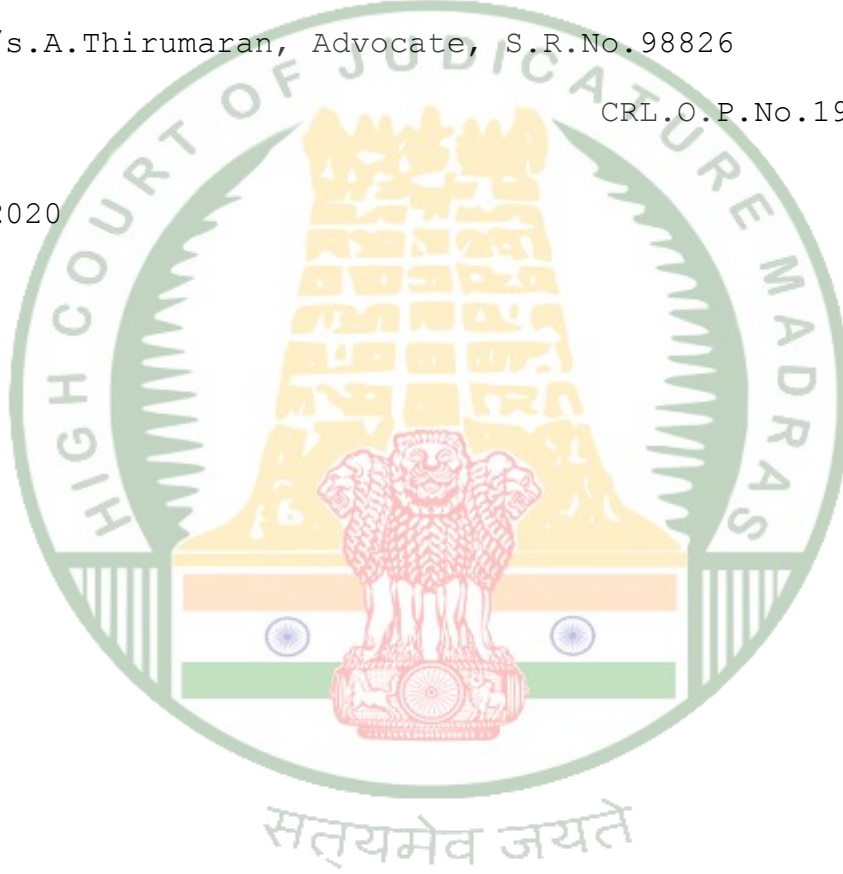
To

1. The Inspector of Police, [Crime],
H-8 Thiruvottriyur Police Station,
Thiruvottriyur, Chennai-600 019.
2. The Superintendent of Police,
Central Bureau of Investigation,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.A.Thirumaran, Advocate, S.R.No.98826

CRL.O.P.No.19500 of 2013

VGI (CO)
CS/11/02/2020



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