

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 5477 of 2018

S. Umapathi

... Petitioner

-Vs-

1. The Commissioner of Police, Greater Chennai,  
EVK Sampath Salai,  
Veppery, Chennai -7.
  2. The Deputy Commissioner of Police,  
Greater Chennai,  
Central Crime Branch,  
Veppery, Chennai - 600 007.
  3. The Inspector of Police,  
Team V, Fraud Wing,  
Central Crime Branch,  
Veppery, Chennai-600007.
- .... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining Ref. No. Nil dated 08.02.2018 passed by the 3rd respondent and quash the same and thereby directing the 2nd respondent to investigate the complaint of the petitioner dated 13.03.2014 and file final report on the time bound period.

For Petitioner : Mr. K.Mohanamurali

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

O R D E R

The prayer in the petitioner is to call for the entire records pertaining Ref. No. Nil dated 08.02.2018 passed by the 3rd respondent and quash the same and thereby directing the 2nd respondent to investigate the complaint of the petitioner dated 13.03.2014 and file a final report within a stipulated time.

2. Heard both sides and perused the materials available on record.

3. On perusal of records, it is seen that the impugned order passed by the 3rd respondent herein, which is under challenge in this writ petition has been closed for the reason that there is no prima facie made out in his complaint and also for the reason that there is a counter blast complaint registered against this petitioner and four others in Crime No. 513 of 2012 for the offences punishable under Sections 465, 466, 468, 471, 506(i) IPC r/w 34 IPC and the same is pending investigation on the file of the CBCID.

4. In view of the above, the prayer sought for in this writ petition cannot be considered and accordingly dismissed as it is devoid of merits. However, the petitioner is at liberty to challenge the charge sheet in Crime No. 513 of 2012 pending against, him after receipt of the same.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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To

1. The Commissioner of Police, Greater Chennai,  
EVK Sampath Salai,  
Vepery, Chennai -7.
2. The Deputy Commissioner of Police,  
Greater Chennai,  
Central Crime Branch,  
Veppery, Chennai - 600 007.
3. The Inspector of Police,  
Team V, Fraud Wing,  
Central Crime Branch,  
Veppery, Chennai-600007.
4. The Public Prosecutor,  
High Court, Madras.

W.P.No.5477 of 2018

CSL/27.06.2019