

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10966 of 2019

P.Kishore

... Petitioner/Accused 1

Vs.

- 1.State by its,
The Commissioner of Police,
Office of Commissioner of Police,
Vepery, Chennai-600 007
- 2.The Deputy Commisioner of Police,
Central Crime Branch,
Office of Commissioiner of Police,
Vepery, Chennai-600 007 ... Respondents/ Respondents
- 3.The Inspector of Police,
Central Crime Branch, Team-2,
EDF-2, Wing,
Vepery, Chennai-600 007
(Cr. No.450 of 2015)
... Respondents/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to upload/update the closure report/closure of the FIR in Crime No.450 of 2015 dated 02.11.2015 on the file of the 3rd respondent in Tamil Nadu Police Portal Crime Records Bureau Portal technically called as 'Crime and Criminal Tracking Network and Systems (CCTNS Portal).

For Petitioners : Mr.S.Ashok Kumar
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking direction to the respondents to upload/update the closure report/closure of the FIR in Crime No.450 of 2015 dated 02.11.2015.

2. According to the petitioner, on 27.4.2015, a complaint was lodged by M/s. Everonn Education Limited as against him. Thereafter, the complainant has preferred a petition under Section 156(3) Cr.P.C before the learned Judicial Magistrate, Alandur. The learned Judicial Magistrate, Alandur has passed directions to the third respondent to register FIR as against the petitioner on 23.06.2015 and 09.10.2015. Hence, the petitioner approached this Court by way of revision in CrI.R.C.No.1148 of 2015 seeking to set aside the directions dated 23.06.2015 and 09.10.2015.

3. In pursuance of the directions passed by the learned Judicial Magistrate, Alandur, the third respondent has registered a case in Crime No.450 of 2015 on 02.11.2015. CrI.R.C.No.1148 of 2015 was taken up for hearing by this Court on 04.11.2015 and this Court granted an order of interim stay. Thereafter, this Court vide order dated 03.10.2016 allowed the revision petition and set aside the directions issued by the learned Judicial Magistrate, Alandur. As against the order passed by this Court, the complainant has preferred the SLP before the Hon'ble Supreme Court and the same was dismissed by the Hon'ble Supreme Court.

4. Further, according to the petitioner the Special Court for CCB and CBICID case was constituted at Allikullam, Egmore, and he placed the order passed by this Court in the revision and the Order of the Supreme Court passed in the SLP(CrI) No.004927 of 2017 before the learned Magistrate Court, Special Court for CCB and CBICID at Egmore and the learned Judicial Magistrate passed an order on 07.09.2018 directing to close the FIR in Cr.No.450 of 2015. However, as on 22.04.2019, FIR in Cr.No.450 of 2015 seems to appear as 'under investigation'. Hence, the petitioner has come before this Court with the aforesaid prayer.

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

6. Considering the submissions made by the petitioner, the third respondent is directed to upload the closure report in respect of FIR in Crime. No.450 of 2015 within a period of four weeks from the date of receipt of a copy of this order.

7. This Criminal Original Petition is accordingly disposed of.

Sd/-

Assistant Registrar(CS)

vsn

To

1.The Commissioner of Police,
Office of Commissioner of Police,
Vepery, Chennai-600 007

2.The Deputy Commisioner of Police,
Central Crime Branch,
Office of Commissioiner of Police,
Vepery, Chennai-600 007

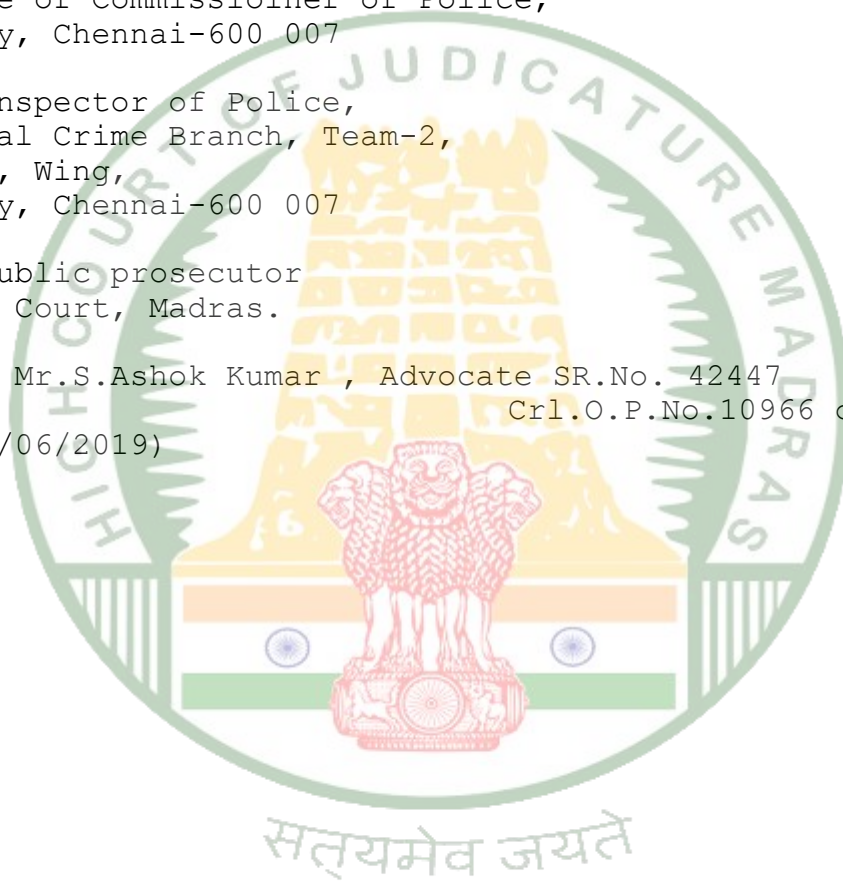
3.The Inspector of Police,
Central Crime Branch, Team-2,
EDF-2, Wing,
Vepery, Chennai-600 007

4.The Public prosecutor
High Court, Madras.

+1cc to Mr.S.Ashok Kumar , Advocate SR.No. 42447

CrI.O.P.No.10966 of 2019

A.SK(07/06/2019)



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