

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:01.04.2019
CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.16603 of 2017

M.Thirumoorthi ...Petitioner/Defendant Complainant

Vs.

State by
The Inspector of Police
District Crime Branch
Perambalur District
Crime No.15 of 2016 ...Respondent/ Complainant

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.15 of 2016 on the file of the Inspector of Police, District Crime Branch, Perambalur to CBCID, Perambalur District for effective investigation.

For Petitioner : Mr.S.Silambu Selvan
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed by the petitioner under Section 482 of Cr.P.C., to transfer the investigation in Crime No.15 of 2016 on the file of the Inspector of Police, District Crime Branch, Perambalur to CBCID, Perambalur District for effective investigation.

2.The learned counsel for the petitioner would submit that the petitioner is the defacto complainant in this case. The petitioner lodged a complaint before the Superintendent of Police, Perambalur District stating that he was Engineering Graduate and searching for a job in India and abroad. On knowing the intention of the petitioner, one Hariff approached this petitioner and promised him that he will get him a job in Dubai and asked him to arrange for 25 to 50 persons for arranging Visa. Believing the words of said Hariff, the petitioner

informed to all his friends and deposited the demanded amount to the account of the accused. Later, he found that visa provided by him to Dubai was forged one. Hence, a complaint was lodged before the Superintendent of Police and the same was forwarded to the respondent police and FIR was registered on 01.08.2016. So far no action was taken as against the accused persons and no amount was recovered from them. Hence, the petitioner filed a petition in CrI.O.P.No.5099 of 2017 to expedite the investigation and to file a final report at the earliest. The same was ordered on 27.03.2017, till now the respondent police has not taken up the case. Not only this petitioner is victimised, along with him there are 13 members were being affected and they are all recently completed their Engineering Graduates. All the original mark sheets of the victims and their passports are under the custody of the accused. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that the case has already been registered in Crime No.15 of 2016 on the file of the Inspector of Police, District Crime Branch, Perambalur.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

5.Considering the fact that the case has already been registered in Crime No.15 of 2016 on the file of the District Crime Branch, Perambalur District, transferring of the same amounts to interference of investigation done by the respondent. However, it is seen that the crime is of the year 2016, therefore, the respondent is hereby directed to complete the investigation and file a final report within a period of two weeks from the date of receipt of a copy of this order.

6.Accordingly, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS)
//True Copy//

Sub Assistant Registrar

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To.

1.The Inspector of Police
District Crime Branch
Perambalur District
Crime No.15 of 2016

2.The Public Prosecutor
High Court of Madras

+lcc to Mr. S.Silambu Selvan, Advocate SR.No. 31219
Crl.O.P.No.16603 of 2017

A.SK(06/05/2019)



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