



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.21290 of 2015

S.Vijayaraj

... Petitioner

Vs

1.The Superintendent of Police,
Office of Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.

3.The Inspector of Police,
CBCID,
Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent to consider the petitioner's representation dated 08.10.2015 and to pass an order of transferring the investigation in Crime No.510 of 2015 from the second respondent police to CBCID or any other investigation agency.

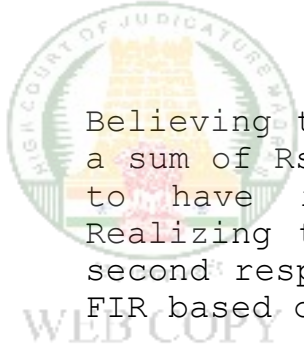
For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

The petitioner is the defacto complainant in Crime No.510 of 2015 registered on the file of the Sivakasi Town Police Station for the offences under Sections 420, 468 and 471 of IPC.

2.The petitioner's counsel states that he has studied upto B.Com and that he was approached by one Chinnasamy that there are vacancies in the Madurai Bench of Madras High Court for the post of System Analyst and that, the petitioner will be issued with an appointment order for the said job, provided that he pays a sum of Rs.6,00,000/-. The said Chinnasamy had further stated that one Nallathambi was working as Government Advocate in the Madurai Bench and that, he is having high political influence and that through his good offices, the said job can be obtained for the petitioner.



Believing the said words of the accused, the petitioner parted with a sum of Rs.6,00,000/- to the said Nallathambi. Nallathambi is said to have issued a fake appointment order to the petitioner. Realizing that he has been cheated, the petitioner approached the second respondent. Even though the second respondent registered an FIR based on his complaint, nothing further took place.

3.The petitioner's specific allegation is that the first accused Nallathambi is closely related to a high political functionary and that is why, the second respondent is not taking any action. Hence, he filed this criminal original petition seeking transfer of investigation.

4.It is unfortunate that even though this is a case of job racketing and the case was registered some four years ago, till date no action has been taken.

5.I can only express my displeasure over the utter inaction on the part of the police. The issue is serious.

6.The petitioner's counsel would also allege that the accused Nallathambi has been involved in quite a few other cases of similar nature. Therefore, the case is withdrawn from the file of the second respondent. It is transferred to the file of the third respondent.

7.It appears that the file is sleeping in the office of the Superintendent of Police, Virudhunagar for the last four years. The first respondent is directed to hand over the files forthwith and without any delay to the third respondent. The third respondent will take emergent steps to fast track the entire investigation. The DGP (CBCID) is called upon to issue formal proceedings in this regard. This criminal original petition stands allowed.

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Office of Superintendent of Police,
Virudhunagar District.



2. The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.

3. The Inspector of Police,
CBCID,
Virudhunagar,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to
The Director General of Police,
(CBCID), Chennai.

+1CC TO MR.R.SENTHILKUMAR, Advocate Sr. No. 103361

Cr1.O.P(MD)No.21290 of 2015

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