

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.4941 of 2020

Rajeswari

.. Petitioner

-vs-

1. The Superintendent of Police,
Kallakuruchi District.
Kallakuruchi - 606 202.
- 2.The Deputy Superintendent of Police,
Kallakuruchi District.
Kachirayapalayam Road,
Kallakuruchi - 606 202.
- 3.The Inspector of Police,
Thirukkivilur Police Station,
Kallakuruchi District - 605 757.
- 4.The Superintendent of Police,
Head Quarters - Economic Offences Wing,
Kallakuruchi District,
Villupuram - 605 602.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to transfer the investigation in FIR No.838 of 2019 dated 30.11.2019 on the file of the third respondent to the file of the fourth respondent and to file final report.

For Petitioner : Mr.P.Manish

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

ORDER

This petition has been filed to transfer the investigation in Cr.No.838 of 2019 dated 30.11.2019 from the file of the third respondent to the fourth respondent herein.

2. The learned counsel for the petitioner has submitted that there are so many subscribers to the accused deepavali chit,

which was running in the name and style of Raghavendra Finance, Raghavendra Jewelers, Raghavendra Chit and Raghavendra Deepavali Chit Scheme. The accused person have induced the petitioner as well as so many innocent members for various schemes. The petitioner invested a huge sum in several schemes and subsequently the accused person and 3 others have absconded with the entire amount and therefore she lodged a complaint before the third respondent. However, the third respondent has registered an FIR in Crime No.838 of 2019 for the offence under Sections 409, 420 of IPC. The case has been registered only for the offence under Sections 409 and 420 IPC instead of registering the case under TNPID Act.

3. The learned Additional Public Prosecutor would submit that they have filed a status report and submitted that there are totally 9,500 victims were cheated by A1 to A4 but so far they received 151 complaints from the Agents. The third respondent also taken custody interrogation of A1 for three days and enquired and investigation is still in progress.

4. On perusal of the status report and also the allegations made in the complaint, there are so many schemes conducted by the accused person under which they have collected huge amount from 9,500 people. All of them were cheated by the accused person and others. Therefore the allegations make it clear that the offence comes under Section TNPID Act and therefore it has to be enquired by the fourth respondent.

5. Considering the above facts and circumstances of the case, since investigation is pending on the file of the third respondent in Cr.No.838 of 2019 and the same has to be transferred to the fourth respondent. The third respondent is directed to handover the case diary relating to the Cr.No.838 of 2019 to the file of the fourth respondent and on receipt of the same, the fourth respondent is directed to complete the investigation and file final report within a period of six months from the date of receipt of a copy of this order.

6. In the result, this Criminal Original Petition is allowed.

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Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

drl

To

1. The Superintendent of Police,
Kallakuruchi District.
Kallakuruchi - 606 202.

2.The Deputy Superintendent of Police,
Kallakuruchi District.
Kachirayapalayam Road,
Kallakuruchi - 606 202.

3.The Inspector of Police,
Thirukkivilur Police Station,
Kallakuruchi District - 605 757.

4.The Superintendent of Police,
Head Quarters - Economic Offences Wing,
Kallakuruchi District,
Villupuram - 605 602.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Manish, Advocate, sr 22516

CRL.O.P.No.4941 of 2020

NRL (CO)
GS (21/05/2020)

सत्यमेव जयते

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