

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.30432 of 2019

A.Shanthi

... Petitioner

Vs.

1. State by

The Joint Commissioner of Police,
South, St. Thomas Mount,
Chennai - 16

2. The Inspector of Police,

Team - VII,
Central Crime Branch,
Veppery, Chennai - 8.
(Crime No. 232 of 2014)

3. K.R.Latha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to file a supplementary charge sheet by including the petitioner's name as one of the victim in C.C.No.10176 of 2014 on the file of the Chief Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : M/s.R.Hemalatha
For Respondents : Mr.C.Raghavan (For R1 & R2)
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the second respondent to file a supplementary charge sheet by including the petitioner's name as one of the victim in C.C.No.10176 of 2014 on the file of the Chief Metropolitan Magistrate, Egmore, Chennai.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first and second respondents.

3. The learned counsel for the petitioner has submitted that the third respondent herein approached the petitioner and introduced herself that she was running chit fund for the past several years and promised to return the same with fancy interest, if the petitioner joined her chit fund and bring her friends. Accordingly, the petitioner has paid a sum of Rs.40/- Lakhs to the third respondent. She further submitted that in the final report filed by the second respondent, the petitioner herein has not been shown as a victim and hence she requests to direct the second respondent to file a supplementary charge sheet by including the petitioner's name as one of the victims.

4. The learned Government Advocate (Crl. Side) has submitted that the petitioner has not produced any receipt to show that she paid any amount to the third respondent. He further submitted that the petitioner has not filed a complaint before the second respondent and hence the petitioner's name cannot be included as one of the victims.

5. The learned counsel for the petitioner by way of reply has submitted that the third respondent has issued a cheque acknowledging the payment made by the petitioner and she also produced a xerox copy of the cheque issued by the third respondent in favour of the petitioner for Rs.2,00,000/- dated 22.01.2018.

6. A perusal of the aforesaid xerox copy of the cheque shows that the third respondent has issued a cheque to the petitioner for Rs.2,00,000/- dated 22.01.2018.

7. Considering the aforesaid facts, the second respondent is directed to investigate the matter further on the line of the submissions made by the learned counsel for the petitioner and if the investigation reveals that the petitioner is also one of the victims, he has to file a supplementary charge sheet by including the petitioner's name as one of the victims in C.C.No.10176 of 2014 on the file of the Chief Metropolitan Magistrate, Egmore Chennai.

8. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ebsi

To

1.The Chief Metropolitan Magistrate, Egmore, Chennai.

2.The Joint Commissioner of Police,
South, St. Thomas Mount,
Chennai - 16

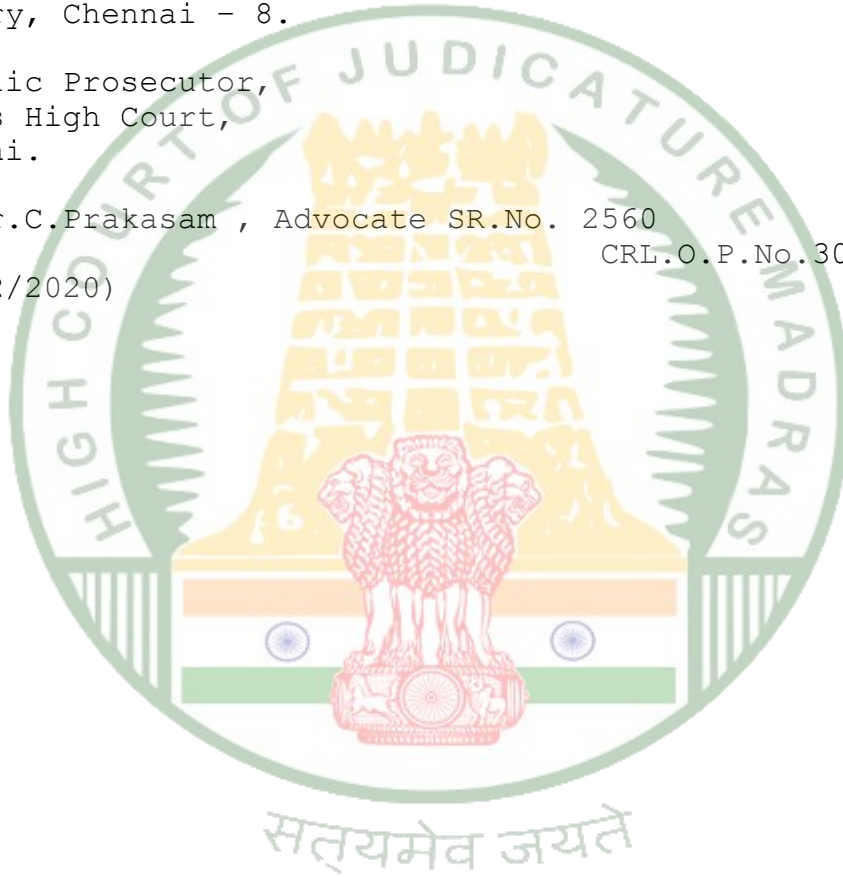
3. The Inspector of Police,
Team - VII,
Central Crime Branch,
Veppery, Chennai - 8.

4.The Public Prosecutor,
Madras High Court,
Chennai.

+lcc to Mr.C.Prakasam , Advocate SR.No. 2560

CRL.O.P.No.30432 of 2019

A.SK(12/02/2020)



WEB COPY