



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.13055 of 2020

and

Crl.M.P (MD) .No.5957 of 2020

H.Ashok

... Petitioner

Vs.

1.The Superintendent of Police
Dindigul
Dindigul District

2.The Inspector of Police
District Crime Branch
Dindigul District
Dindigul

...Respondents

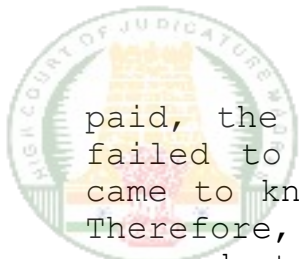
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the case in Crime No.07 of 2018 dated 24.04.2018 which was registered by the second respondent to the competent officer for investigation of the case and file a final report before the jurisdictional Magistrate within the time that may be stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu
For Respondents : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the first respondent to transfer the case in Crime No.07 of 2018 dated 24.04.2018 which was registered by the second respondent to the competent officer for investigation of the case and to file a final report before the jurisdictional Magistrate within the time that may be stipulated by this Court.

2.According to the petitioner, he is doing timber business at Dindigul and Tuticorin. Moreover, he is involved in import of timber from foreign countries and also he established depot at Tuticorin in a rental premises. While so, the petitioner planned to purchase lands for construction of own depot. In such circumstances, all the accused in this case have approached the petitioner and introduced themselves having lands at outskirts of tuticorin and received Rs.8 crores on various dates, for the same, the first accused executed a deed of undertaking. Though the amounts were



paid, the accused in the above crime number dodged the matter and failed to sell the properties as promised. Later, the petitioner came to know that the above accused never had any of the property. Therefore, the petitioner lodged a complaint before the second respondent and based on the complaint, a case was registered in Crime No.7 of 2018 for the offence under Sections 120(b), 420 and 506(i) I.P.C on 24.04.2018. After registration of the case, the accused in the above crime numbers filed a quash application before this Court. After hearing the case, this Court by an order dated 11.02.2020 dismissed the same and directed the second respondent to file the final report within three months from the date of receipt of a copy of the order. The grievance of the petitioner is that the vital documents are available with him but the second respondent police never interested to conduct investigation and to file final report as per direction of this Court. Hence, the petitioner made a representation 28.10.2020 to the first respondent stating that the second respondent has not made proper investigation. But, So far, no action has been taken by the first respondent police. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the investigation was done in a proper manner. Since there is an allegation that the petitioner was not summoned to receive the vital documents to establish his case, it would be suffice to direct the Deputy Superintendent of Police to monitor the investigation after producing the vital documents available with the petitioner and thereafter, the final report will be filed within a period of two months.

4. Though this Court has already passed an order to file the final report, once again the second respondent police is directed to conduct the investigation after receiving the vital documents available with the petitioner and the Deputy Superintendent of Police, Dindigul is directed to monitor the investigation conducted by the second respondent police and to file the final report within a period of two months thereafter.

5.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

<https://hcservices.ecourts.gov.in/hcservices/>



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police
Dindigul
Dindigul District
- 2.The Deputy Superintendent of Police
Dindigul
Dindigul District
- 3.The Inspector of Police
District Crime Branch
Dindigul District
Dindigul
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.13055 of 2020
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