



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1583 of 2021

Baskaran

...Petitioner

vs

The State rep.by its  
The Inspector of Police,  
N-1, Royapuram Police Station,  
Chennai 600 013.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer of the investigation in Crime No.59 of 2016, on the file of respondent to any other investigation agency.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.A.Damodaran  
Government Advocate (Crl. Side)

ORDER

This petition has been filed to transfer the investigation in Crime No.59 of 2016, on the file of respondent to any other investigating agency.

2. The petitioner submits that his daughter wants to pursue medicine in China. At that time, one Vignesh, who is one of the accused promised her to get a medical seat in China. The 1<sup>st</sup> and 2<sup>nd</sup> accused, who are parents of the said Vignesh and the other accused, all promised to get her a medical seat. Believing the same, the petitioner had transferred a sum of Rs.16,00,500/- through online to Vignesh/A3. Thereafter, Vignesh taken her to China and after reaching China, he has taken her ATM card and withdrawn the entire amount of Rs.3,50,000/- and demanded further sum of Rs.8,00,000/- from the petitioner to get her admission in China Medical University. Without any alternative, the petitioner transferred the amount to Vignesh, as demanded. Without paying any amount to University, Vignesh left for India, leaving her in China by arranging her stay without basic amenities. With great difficulty, she returned to India. Hence, the present complaint was lodged by submitting the forged documents.



3.The learned Government Advocate (crl. side) submits that investigation has been completed and a charge sheet has been filed on 15.03.2021 against Vignesh and five others for the offences under Sections 406, 468, 471, 420, 294(b) and 506 (II) r/w 149 IPC, before the XVI Metropolitan Magistrate, George Town, Chennai and the same is yet to be taken on file.

4.The petitioner submits that with regard to the forged documents, no investigation has been carried out, which to ensue the accused getting acquittal from the case.

5.In view of the above, the learned XVI Metropolitan Magistrate, George Town, Chennai, is directed to take the Charge Sheet on file, which has been filed on 15.03.2021, within few days from the date of normal functioning of the courts and proceed with the case, within two weeks thereafter to conclude the trial within a period of six months. The petitioner is given liberty to file a protest petition before the trial Court, if aggrieved on the investigation and the same to be considered.

6.This criminal original petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,  
N-1, Royapuram Police Station,  
Chennai 600 013.
- 2.XVI Metropolitan Magistrate Court,  
George Town, Chennai.
- 3.The Public Prosecutor,  
High Court, Madras.
- 4.The Chief Metropolitan Magistrate,  
Egmore, Chennai-8.

CRL.O.P.No.1583 of 2021

PCH(CO)  
RVM(28/07/2021)