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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.16098 of 2021

Mohamed Iqbal

...Petitioner/Defacto Complainant

Versus

1.The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.

2.The Inspector of Police,
H6, R.K.Nagar Police Station,
Chennai City.

3.The Inspector of Police,
CBCID, Pantheon Road,
Egmore, Chennai.

...Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to withdraw the case in crime No.875 of 2021 pending on the file of the 2nd respondent and entrust the same to the 3rd respondent to complete the investigation and file final report in accordance with law.

For Petitioner : Mr.S.Mohamed Ansar
For Respondents: Mr.A.Damodaran
Government Advocate (Crl. Side)

ORDER

The criminal original petition has been filed to direct the 1st respondent to withdraw the case in crime No.875 of 2021 pending on the file of the 2nd respondent and entrust the same to the 3rd respondent to complete the investigation and file final report in accordance with law.

2.The petitioner, who is a practicing advocate and who is having public conscious for the Society, lodged a complaint to the respondent police. Initially, CSR No.45 of 2020 assigned, thereafter, no action has been taken. Hence, he filed a petition under Section 156(3) Cr.P.C in CMP.No.27 of 2021 before the XV



Metropolitan Magistrate, George Town, Chennai. Thereafter, on the direction of the Magistrate, FIR in Crime No.875 of 2021 for offence under Section 420 IPC has been registered but no action has been taken.

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3.The contention of the learned counsel for the petitioner is that one Azeem Basha is running a hospital and he studied B.U.M.S and he is a Unani doctor, but he practices Allopathy and gives allopathy medicine, Trips and injections to the patients. Despite the petitioner giving specific instructions and particulars, no action has been taken. Hence, he has filed this petition seeking transfer of investigation.

4.The learned Government Advocate (Crl.side) submits that on the direction of the XV Metropolitan Magistrate, George Town, Chennai under Section 156(3) Cr.P.C., FIR has been registered without any specific particulars. From the complaint, noting could be deciphered, no specific incidents could be found. If the petitioner produced the materials and witnesses in support of his complaint, the same would be enquired.

With the above direction, the criminal original petition is disposed of.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sms
To

- 1.The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.
- 2.The Inspector of Police,
H6, R.K.Nagar Police Station,
Chennai City.
- 3.The Inspector of Police,
CBCID, Pantheon Road,
Egmore, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



Copy to
The XV Metropolitan Magistrate
George Town, Chennai

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PL(CO)
SP(01/11/2021)