



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.24905 OF 2021

A.Saravanan

... Petitioner

Versus

1. The Commissioner of Police,
No.132, Commissioner office building,
Greater Chennai,
Vepery, Chennai - 600 007.

2. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai - 600 014.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to transfer the investigation of the case in Crime No.479 of 2021 pending on the file of the second respondent to CBCID or any other fair agency in the best interest of justice.

For Petitioner : Mr.L.Infant Dinesh

For R1 & R2 : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the first respondent to transfer the investigation of the case in Crime No.479 of 2021 pending on the file of the second respondent to CBCID or any other fair agency in the best interest of justice or pass any other orders as deem fit.

2.The grievance of the petitioner is that on the complaint of the petitioner a case in Crime No.479 of 2021 for offence under Sections 409 and 420 IPC has been registered against one Priya and Sri Power Feeds. Initially the respondent police



reluctant to register the case against the said person. Thereafter the petitioner provided all the bank transaction and other particulars to the respondent police and Rs.14 lakhs have been recovered from the said Priya and thereafter Royapettah police had sent a communication to the petitioner stating that the amount of Rs.14 lakhs have been recovered from Priya on 28.05.2021 and with regard to Rs.10,96,338/- the said Priya had given an undertaking to repay the same as early as possible.

3.He further submitted that further considering that A1 is a lady, who was previously employed with the petitioner and also considering her future the case to be closed, which was not agreeable to the petitioner. Being an aggrieved person, the petitioner had filed a petition in CrI.M.P.No.9449 of 2021 before the XVIII Metropolitan Magistrate Court to register the FIR. Considering all these aspects, the learned XVIII Metropolitan Magistrate had received Rs.14 lakhs as case property and directed the respondent police to register FIR. The respondent police though registered the FIR and have not shown any progress in the case.

4.The learned Additional Public Prosecutor submits that major portion of the defaulted amount have been recovered. The balance amount would be recovered as soon as possible.

5.Considering the submissions and on perusal of the materials, this Court finds that the respondent police have not taken proper action and the grievance of the petitioner seems to be true. In view of the same, this Court directs the Inspector of Police, E-2, Royapettah Police Station, Chennai to complete the investigation in Crime No.479 of 2021 and file the final report or closure report as the case may be as soon as possible.

6.With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ah



To

1. The Commissioner of Police,
No.132, Commissioner office building,
Greater Chennai,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai - 600 014.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.L.Infant Dinesh, Advocate, S.R.No.69879

CRL.O.P.No.24905 of 2021

UM(CO)
PM/31/01/2022