



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.29797 OF 2018

Mr.Jeganathan Tennis Missier

.. Petitioner

..Vs..

1. The Deputy Superintendent of Police,
District Crime Branch, District Police Office Campus,
Villupuram.
2. Mr.K.S.Ramalingam,
Managing Director,
M/s. Homefinders, Housing Limited,
No.73/1, Tiruvalluvar salai,
Ramapuram, Chennai-600 089.
(R2 impleaded as per order dated
31.01.2019 in Crl.M.P.No.1388 of 2019)

.. Respondents

PRAYER:

To direct the respondent to investigate and file final report within stipulated time as per the orders of this orders of this Hon'ble Court dated 06.12.2017 in Crl.O.P.No.26661 of 2017.

For petitioner : Mr.G.V.Sridharan

For Intervenor : Mr.J.Saravana Vel

For 1st respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed Under Section 482 of Cr.P.C to direct the respondent to investigate and file final report within stipulated time as per the order of this Hon'ble Court dated 06.12.2017 in Crl.O.P.No.26661 of 2017.



2. The case of the prosecution is that the petitioner is the defacto-complainant who was cheated by the accused with the mala fide intention and made false promises to the tune of Rs.65,34,910/-. The accused promised the defacto-complainant that he will construct a villa at Marakanam since he was the Managing Director of Lamical Club and Home finder housing limited. The defacto complainant based on the sugar coated words of the accused, invested a sum of Rs.65,34,910/- for the construction of villa at Marakanam to the accused. When the petitioner applied for the Encumbrance Certificate, he found that the entire property which was assured by the accused to be constructed has been mortgaged by the accused with IOB, Marakanam Branch to the tune of Rs.4.5 Crores. Hence the defacto-complainant lodged a complaint against the accused.

3. It is the further case of the petitioner that with regard to the above offence committed by the accused, he lodged a complaint on 09.05.2017 before the Commissioner of Police, Chennai but action has not been taken against the accused. Hence the petitioner has filed this petition before this Court.

4. Learned Government Advocate(Criminal side) fairly conceded that this court may issue a direction to the first respondent to complete the investigation within a stipulated time.

5. A perusal of the records reveal that on the direction of this court order dated 06.12.2017, FIR has been registered on 27.01.2019 in Crime No.48/2019 under section 420 of I.P.C. However, it is the case of the petitioner that there is no progress in the investigation.

6. In view of the fair stand taken by either side and also the limited relief sought for, this court without going into the merits of the issue directs the 1st respondent to complete the investigation within a period of 12 weeks and file a final report from the date of receipt of the copy of this order. This petition is closed with the aforesaid direction.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nhs



To

1. The Deputy Superintendent of Police,
District Crime Branch,
District Police Office Campus,
Villupuram.

2. The Public Prosecutor,
Madras High Court.

Crl.O.P.No.29797 of 2018

AD(CO)
CS/04/10/2021