



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 20.10.2021

CORAM

The Hon`ble Mr. Justice G.ILANGOVAN

CrI.O.P (MD) .No.10534 of 2020

WEB COPY

1. M. Venkatesh
2.V. Mani

... Petitioners

Vs

1.The Superintendent of Police,
Pudukottai District,
Pudukottai.

2.The Inspector of Police,
Athanakottai Police Station,
Athanakottai,
Pudukottai District.

3.The Inspector of Police,
District Crime Branch,
Pudukottai,
Pudukottai District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., for issuing a direction to the first respondent to change the investigation in Crime No.2 of 2020 on the file of the 2nd respondent police dated 09.01.2020 to the 3rd respondent or any other investigating agency.

(prayer amended as per order dated 20.10.2021 made in CrI.M.P(MD). No.6263 of 2020 in CrI.O.P(MD).No. 10534 of 2020)

For Petitioners : Mr. K.R. Laxman

For respondents : Mr.R.M. Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed for issuing a direction to the first respondent to change the investigation in Crime No.2 of 2020 on the file of the 2nd respondent police to the 3rd respondent or any other investigating agency.

2. The case of the petitioners is that this is a case of job racketing. The first petitioner / victim had paid a sum of Rs.4,50,000/- to the accused persons for the purpose of arranging a job. Since there was a failure on the part of the accused persons, the petitioners have demanded the accused for repayment of the said



amount and the accused persons have also given an undertaking dated 28.08.2019, assuring to repay his entire amount within a period of 15 days. But, they have committed a default. After a long time, the petitioners have given a complaint and the same is pending without any progress. In such circumstances, the petitioners have filed the present petition seeking transfer of investigation in Crime No.2 of 2020 on the file of the 2nd respondent police to the 3rd respondent or any other investigating agency.

3. The learned Additional Public Prosecutor appearing for the respondents police would submit that the accused persons were granted anticipatory bail by this Court in CrI.O.P(MD).No.14678 of 2020 vide order dated 15.10.2020, on the basis of the undertaking given by them. Further, this Court directed the accused persons to deposit a sum of Rs.75,000/- each before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of that order. But the above said order was not complied with by the accused persons and they are still absconding. He would further submit that it is the duty of the first respondent to take appropriate steps.

4. But, however, the learned counsel appearing for the petitioners would submit that if the direction is given to the first respondent to supervise the investigation of the second respondent, the justice can be done to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned counsel appearing for the petitioners, this Court directs the 2nd respondent herein to take appropriate steps for investigating the case in Crime No. 2 of 2020 and file a final report before the concerned Magistrate within a period of five months from the date of receipt of a copy of this order and the first respondent is directed to monitor the same and ensure that the investigation is completed within the time stipulated by this Court.

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

7. After the process is complied, the report should be submitted before this Court.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

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



To

1.The Superintendent of Police,
Pudukottai District,
Pudukottai.

2.The Inspector of Police,
Athanakottai Police Station,
Athanakottai,
Pudukottai District.

3.The Inspector of Police,
District Crime Branch,
Pudukottai,
Pudukottai District.

Copy to:

1.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

2.The Section officer, Criminal Section,
Madurai Bench Of Madras High Court, Madurai.

CrI.O.P (MD) .No.10534 of 2020
20.10.2021

RD/UV (12.11.2021) 3P 6C