



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.21532 of 2021

A.Balasubramanian

... Petitioner

vs.

1.The Superintendent of Police,
Anti Corruption Bureau, CBI,
73, Aathikulam Main Road,
Reserve Line, Aathikulam,
Madurai - 625 007.

2.The Superintendent of Police,
Economic Offences Wing,
Central Bureau of Investigation,
Rajaji Bhavan Complex,
3rd Avenue, Thiruvallur Nagar,
Besant Nagar, Chennai - 600 090.

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

... Respondents

(R3 is suo motu impleaded vide
court order dated 03.12.2021)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to conduct proper enquiry and take appropriate action on the basis of the petitioner's representation dated 15.04.2021 in accordance with law within a stipulated time.

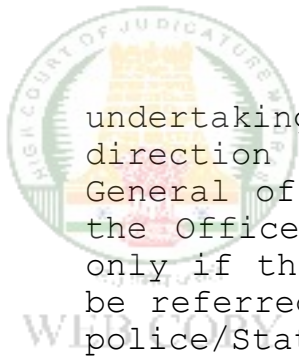
For Petitioner	: Mr.R.M.Makesh Kumaravel
For Respondents	: Mrs.L.Victoria Gowri, Assistant Solicitor General of India for R1 and R2 Mr.T.Senthil Kumar Additional Public Prosecutor for R3

ORDER

Heard the learned counsel for the petitioner, the learned Assistant Solicitor General of India for the first and second respondents and the learned Additional Public Prosecutor for the third respondent.

2.The petitioner alleges that an employee of Canara Bank, Shenkottai Branch had misappropriated and caused loss to him to the tune of Rs.64.00 lacs. Since Canara Bank is a Government of India

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undertaking and a nationalized bank, the petitioner wants direction to be issued to CBI. The learned Assistant Solicitor General of India was put on notice. She made available a copy of the Office Memorandum dated 24.08.2012 in which it is stated that only if the amount involved is three crores and above, cases are to be referred to CBI and if the case is below three crores, the local police/State Police are competent to deal with the matter.

3.The petitioner is directed to lodge a fresh complaint before the third respondent and the third respondent shall register an FIR based on the complaint of the petitioner and investigate the same expeditiously. The writ petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Anti Corruption Bureau, CBI,
73, Aathikulam Main Road,
Reserve Line, Aathikulam, Madurai - 625 007.

2.The Superintendent of Police,
Economic Offences Wing,
Central Bureau of Investigation,
Rajaji Bhavan Complex,
3rd Avenue, Thiruvallur Nagar,
Besant Nagar, Chennai - 600 090.

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

+1 CC to M/s.R.M.MAKESH KUMARAVEL, Advocate (SR-38189[F] dated 10/12/2021)

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09.12.2021

NSN (CO)

KB (21.12.2021) 2P 5C

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