



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD)No.20515 of 2021

K.Subramani

... Petitioner

Vs.

1. The Superintendent of Police,
Dindigul District.
2. The Deputy Superintendent of Police,
Economic Offence Wing,
Dindigul District.
3. The Inspector of Police,
Economic Offence Wing,
Dindigul District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the third respondent to expedite the investigation based on the complaint of the petitioner dated 25.10.2021 within the period specified by this Court.

For Petitioner : Mr.K.S.Duraipandian
For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Cr1.Side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

2. The petitioner states that he invested a sum of Rs.8,00,000/- with a financial establishment known as Sri Nagadevathai Bankers. They had promised to repay the deposit with interest at 20% p.a. According to the petitioner, the deposit was made on 11.03.2018. The repayment should have been made on 10.03.2020 and that almost more than 18 months have gone by. Till date the financial establishment has neither repaid the principal nor paid the interest.



3. The petitioner's counsel would contend that the act of the financial establishment constitutes offence under Section 5 of the TNPID Act, 1997. The petitioner's grievance is that even though the complaint was given before the third respondent in this regard, till date no First Information Report has been registered. Hence, this criminal original petition has been filed.

4. The learned Government Advocate submitted that the third respondent is awaiting instructions from the Additional Director General of Police. I fail to understand the inaction on the part of the third respondent. When the complaint of the victim *prima facie* makes out a case of commission of cognizable offences, duty is cast on the third respondent to register the First Information Report. This is the mandate laid down in Lalita Kumari case. Therefore, the third respondent is directed to register the First Information Report based on the petitioner's complaint dated 25.10.2021 and investigate the same and file final report at the earliest.

5. This criminal original petition is allowed on these terms.

Sd/-

Assistant Registrar (C.O.)

// True Copy //

03/01/2022

Sub Assistant Registrar(CS II)

PMU

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, Dindigul District.
2. The Deputy Superintendent of Police,
Economic Offence Wing, Dindigul District.
3. The Inspector of Police, Economic Offence Wing,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

SB 03/01/2022 - 2P/5C

Crl.O.P.(MD)No.20515 of 2021
22.12.2021