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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.7390 OF 2022

Mohammed Nizamuddin

... Petitioner

.Vs.

The Inspector of Police,
Job Racket Wing, Team - 9,
Central Crime Branch,
Vepery, Chennai - 600 007.

... Respondent

PRAYER:-

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to investigate and submit the final report/charge sheet before the concerned Metropolitan Magistrate Court, Chennai, within a period stipulated by this Court, pursuant to the registration of the FIR in Cr. No.322 of 2020 dated 26.11.2020 under Sections 120 B and 420 of IPC.

For Petitioner : Mr.K.Shyam Sunder

For Respondent : Mr.V.Meganathan
Government Advocate
(Criminal Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent to investigate and submit the final report/charge sheet before the jurisdictional Metropolitan Magistrate Court, Chennai, within a period stipulated by this Court, pursuant to the registration of the FIR in Cr. No.322 of 2020 dated 26.11.2020 under Sections 120 B and 420 of IPC.

2. The learned counsel for the petitioner would submit that the petitioner and other 18 job seekers were cheated by job racketeer, one Kamalesh Rathinam and Ashoka Rathinam to the tune



of Rs.65,78,100/-. He would further submit that the first accused had contacted the petitioner, who is working as an Assistant Manager at M/s.Accenture, Sholinganallur, stating that he is at Singapore and he is helping out several job seekers to find employment in Singapore. Believing the words of the accused, the petitioner had remitted a sum of Rs.2,70,000/- through Google-Pay and 18 other victims also remitted the money to the account of the second accused. After coming to know that the petitioner and the 18 other victims were cheated by the accused, they had given a complaint to the respondent. Based on the complaint, a case in Crime No.322 of 2020 was registered by the respondent. He would further submit that the first accused ran out of the country, the second accused while attempting to leave the country was arrested at Delhi Airport on 07.12.2021, based on the look out notice. Thereafter, the second accused filed an application in Crl.O.P.No.884 of 2022 before this Court for seeking bail and this Court by order dated 12.01.2022 granted bail to the second accused with condition to deposit a sum of Rs.3,00,000/- to the credit of Crime No.322 of 2021. He would further submit that the Petitioners who are the victims do not know the fact of the further investigation in this case and their money have not been recovered and they are still suffering. The respondent has not taken any action against the accused till date and there is no progress in the case so far. Thereby, the present petition has been filed to direct the respondent to file the final report before the jurisdictional Court.

3. Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that the investigation in this matter is done in a proper manner and the respondent is taking steps to bring back A1 from abroad. The respondent have come to know that the A1 is living in Combodia and steps are being taken to extradite A1 from Combodia. He would further submit that A2 was granted conditional bail, investigation is pending in this case and final report will be filed within a period of six months.

4. At this juncture, learned counsel for the petitioner would submit that first accused's brother viz., Rajasekar and Latha Ravi & Nabil Ahamed were also involved in the offence and the respondent police is not taking any steps to secure them.

5. In reply, learned Government Advocate (crl.side) would submit that summons under Section 41 A have been issued to other persons. He would further submit that the respondent will be able to file the final report within a period of six months.

6. In view of the above, direction is issued to the respondent police to complete the investigation and file the final report as expeditiously as possible, preferably, within a



period of six months from the date of receipt of a copy of this Order.

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

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Metropolitan Magistrate,
Chennai.
2. The Inspector of Police,
Job Racket Wing, Team - 9,
Central Crime Branch,
Vepery, Chennai - 600 007.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.Shyam Sunder, Advocate, S.R.No.21843

CRL.O.P.NO.7390 OF 2022

SKM(CO)
PBS/21/04/2022