



WEB COPY



W.P.No.33511 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.33511 of 2022
and W.M.P.No.32957 of 2022

P.Kathiravan

... Petitioner

Vs.

1. The Commissioner of Police,
Avadi Police Range,
Avadi, Chennai.
2. The Inspector of Police,
Cyber Crime,
Office of the Commissioner of Police,
Avadi, Chennai.
3. Global Talent Consultancy,
Plot No.427, 3rd Floor Nayapalli,
Bhubaneswar, Odisha – 751 012.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the second respondent to recover the sum of Rs.18,05,764/- (Rupees Eighteen Lakhs Five Thousand Seven Hundred and Sixty Four only) from the third respondent “Global Talent Consultancy”, the accused in FIR No.26 dated 02.08.2021 and pay the same to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.V.Raghupathi



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H.No.1919, Section 23A, Palam Vihar Gurgaon, Haryana 122 001) was

frozen by the Police on the basis of the complaint.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents police.

5. Considered the rival submissions. It is seen that already Police is investigating on the complaint given by the petitioner and took steps to freeze the account (Acc.No.2121240331957221). While that be the case, present prayer sought for by the petitioner to issue a Writ of Mandamus, directing the second respondent to recover a sum of Rs.18,05,764/- from the third respondent and pay the same to the second respondent, cannot be entertained. This sort of relief can be asked only before the civil Court.

6. However, taking note of the facts of the case that the investigation is not yet completed, even after completion of more than a year, this Court directs the respondent Police to take all endeavor to recover the amount alleged to have been paid by the petitioner through bank transaction and deposit it before the Court concerned. Investigation should also be completed within a period of three months from the date of receipt of a copy of this order.



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WEB COPY 7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

13.12.2022

Index :Yes/No
Internet:Yes/No
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To

1. The Commissioner of Police,
Avadi Police Range,
Avadi, Chennai.
2. The Inspector of Police,
Cyber Crime,
Office of the Commissioner of Police,
Avadi, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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