



CrI.O.P.(MD) No.6385 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.6385 of 2022

M.Abdul Rahuman

... Petitioner

Vs

**1.The Commissioner of Police,
Commissioner of Police,
Subramaniyapuram,
Trichy,
Trichy District.**

**2.The Inspector of Police,
Cyber Crime Police Station,
Subramaniyapuram,
Trichy District.**

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to transfer the investigation in Crime No. 08 of 2021 on the file of second respondent herein to any other investigating agency for free and fair investigation in the light of his representation dated 19.10.2021 within a stipulated period as may fixed by this Court.

For Petitioner : Mr.R.Sakthivel

For Respondents : Mr.R.Suresh Kumar,

Government Advocate (Criminal Side).



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ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No. 08 of 2021 on the file of second respondent herein to any other investigating agency for free and fair investigation in the light of his representation dated 19.10.2021.

2. The case of the prosecution is that the petitioner was cheated by someone in the guise of Online Trading. A case has been registered in Cyber Crime PS, Trichy City in Crime No.08 of 2021 dated 29.09.2021 for offences under Section 420 IPC r/w 66D Information Technology (Amendment) Act 2008. The second respondent investigation agency have not taken any effective steps to find out the accused respectively. In this regard, the petitioner preferred a detailed representation dated 19.10.2021 requested the respondents to transfer the investigation from the second respondent to any other investigating agency for free and fair investigation. Since no action was taken, the present Criminal Original Petition has been filed.



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3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondents submitted the status report and the modification of status report before this Court.

4. I have considered the matter in the light of the submissions made by learned counsel for both the parties and perused the records.

5. On perusal of the status report of the investigation, it is seen that the respondent Police investigated the petitioner's complaint who paid the amount to the alleged phone number account and found that the transaction of the complainant is confirmed and true. The complainant's amount was transferred to culprits in various ICICI Bank account number which was merged with U.P.I I.D's MOHVSALEEMI@icici, sssd97@icici, Vr3homes123@icici, and in furtherance of the investigation they identified the three accused persons, their UPI ID, account holders name and address and the status of the account is also Debit Freeze. The respondent Police have frozen the accounts of all the three suspects with a closing balance of Rs.12,79,503.15/- (Rupees Twelve Lakhs Seventy Nine Thousand Five Hundred and Three Paise Fifteen only) and now further investigation is going on.



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6. Recording the same, this Criminal Original Petition is closed with a direction to complete the investigation and file final report within a period of six (6) months from the date of receipt of a copy of this order.

13.07.2022

Internet: Yes./No

Index: Yes/no

Nsr

To

- 1.The Commissioner of Police,
Commissioner of Police,
Subramaniyapuram,
Trichy,
Trichy District.
- 2.The Inspector of Police,
Cyber Crime Police Station,
Subramaniyapuram,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

Nsr

ORDER IN
CRL.O.P (MD) No.6385 of 2022

13.07.2022