



CrI.O.P(MD)No.13687 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CrI.O.P(MD)No.13687 of 2022

G.Parameswari

... Petitioner

Vs.

**1.The Commissioner of Police,
Tiruneveli City.**

**2.The Inspector of Police,
City Crime Branch,
Tirunelveli City.**

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent, the Inspector of Police, City Crime Branch, Tirunelveli city herein to comply with the order passed by the Judicial Magistrate No.I, Tirunelveli in Cr.M.P.No.3692 of 2022, dated 19.04.2022 by registering the petitioner's complaint, dated 01.04.2022 as an F.I.R.

For Petitioner : Mr.R.Anand

**For R1 - R2 : Mr.R.Sureshkumar
Government Advocate (CrI.side)**

ORDER

This Criminal Original Petition has been filed to direct the second respondent herein to comply with the order passed by the Judicial Magistrate



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No.I, Tirunelveli in Cr.M.P.No.3692 of 2022, dated 19.04.2022, by registering the petitioner's complaint, dated 01.04.2022.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a Retired Nurse and she is a widow. She is having one daughter namely Kanaga Malliga and her daughter is a Master Graduate with Ph.D. degree and for seeking employment in the Government service through the accused persons Prabhakaran, Mariappan and Mahesh. The accused persons have approached the petitioner and demanded Rs.25 lakhs for providing a job. Believing their words, she initially gave a sum of Rs.5 lakhs in the month of September 2017 and thereafter, periodically, she gave the amount for getting job. Totally she paid a sum of Rs.24 lakhs. After receiving the money, the accused persons did not respond. The accused persons neither provided any Government job nor returned the amount and cheated the petitioner. Hence, she gave a complaint on 01.02.2022 before the first respondent police and the copy also given to the second respondent. Since no action was taken, the petitioner has approached the learned Judicial Magistrate No.1, Tirunelveli and filed a private complaint under Section 156(3) of Cr.P.C. The learned Magistrate, by order, dated 19.04.2022 in Cr.M.P.No.3692 of 2022 directed the second respondent to register the case and to investigate the same. So far, the respondent police not taken any action to register the complaint. Hence, she



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filed this petition.

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3. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that it is a case of job bracketing and the accused persons also collected money from various persons. In this regard, a complaint has been registered against the accused persons in Crime No.468 of 2017 for the offences under Sections 465, 468, 471, 417, 1209b) IPC and Section 66 r/w 43(i) of Information Technology (Amendment) Act, 2008, on the file of the Central Crime Branch, Chennai. After investigation, final report has been filed before the learned Chief Metropolitan Court, Egmore, Chennai and the same has been taken on file in C.C.No.4538 of 2021. He further submitted that the accused Prabhakaran is now suffering from kidney problem and he has admitted at Venkateshwara Hospital, Tirunelveli on 01.07.2022 as inpatient. In these circumstances, enquiry is still pending.

4. Recording the said submission made by the learned Government Advocate (Crl.side), the second respondent is directed to continue with the investigation and file additional charge sheet in C.C.No.4538 of 2021 on the file of Chief Metropolitan Court, Egmore, Chennai.



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

28.07.2022

Index : Yes / No
Internet : Yes/ No
vsd

To

1. The Commissioner of Police,
Tiruneveli City.
2. The Inspector of Police,
City Crime Branch,
Tirunelveli City.
3. Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

vsd

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