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Crl.O.P.No.25891 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.25891 of 2022

M/s.Monotech Systems Limited,
Represented by its Senior Accounts Executive,
N.Srinivasan,
Registered Office at 8th Floor,
Chaitanya Exotica,
No.24, Venkatanarayanan Road,
T.Nagar,
Chennai – 600 017.
Petitioner

...

Vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai – 600 007.
2. The Deputy Commissioner of Police,
CCB Vepery,
Chennai – 600 007.
3. The Inspector of Police (Crime),
R4, Pondy Bazaar Police Station,
T.Nagar,



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Chennai – 600 017.

... Respondents

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PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.109 of 2022 pending on the file of the third respondent to the second respondent.

For Petitioner : Mr.M.Abdul Razack
For Respondents : Mr.A.Gokula Krishnan
Additional Public Prosecutor

ORDER

In conjunction with and in continuation of earlier order passed, today the Inspector of Police is present before this Court and filed a status report dated 28.06.2023. The same is extracted hereunder:

“6. In the meantime Mr.Pawan Kumar Yadav approached Hon'ble High Court and filed a petition seeking anticipatory bail in Crl.O.P.No.705/2023. Thereby anticipatory bail was granted by Hon'ble court on 13.01.2023. Mr.Pawn Kumar Yadav was directed to deposit a sum of Rs.10,00,000/- within a period of three weeks on which the order copy made ready and case is



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posted to 21.02.2023. Till this date Mr.Pawan Kumar Yadav has not appeared before XVII Metropolitan Magistrate Court, Saidapet and executed the order of High Court. Investigation is in progress.

7. In the meantime Mr.Pawan Kumar Yadav on not obeying the orders passed by the Hon'ble High Court. On 02.03.2023, the Hon'ble High Court cancelled the anticipatory bail order in Crl.O.P.No.705/2023. The CDR of the accused was received and analysed and found that the accused switched off the two cell numbers on 10.04.2023 and 28.04.2023 respectively which he was using and IMEI details were sent to find out the other cell numbers which he were using. The whereabouts of the accused at present was not clearly known on getting the present cell number of the accused a special team will be sent to Mumbai to arrest the accused. In the meantime look out notice will be served to the authority to arrest the accused. All necessary action will be taken to the arrest the accused and a special team (SSI Ramasamy,HC26163 Tr.Jayaraman, Gr-I36217, Tr.Sivakolunthu) was formed to arrest the accused.

8. It is submitted that at this stage, know the



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petitioner filed this present petition seeking direction petition to transfer the case to the second respondent. I humbly submit that on 16.03.2021 in C.No.206/DC-CCB II – GENL/2022 reference cited already the petition was enquired and transfer to Joint Commissioner of Police (South Zone) and same was intimated to the complainant on 10.03.2021. The complaint was transfer due to the cheated amount was less than 50 Lakhs.”

2. A perusal of the status report reveals the case in Crime No.109 of 2022 under Sections 408, 465 and 477-A I.P.C. registered, investigation is in progress, effective steps taken, a special team has also been formed to arrest the accused. It has been further stated in the status report that based on the complaint given by the petitioner, the petitioner's complaint transferred to the Joint Commissioner of Police (South Zone) and the same was intimated to the petitioner on 10.03.2021.

3. It is seen that the investigation is in progress and steps are being taken to secure the accused.



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4. In such view of the matter, this Criminal Original Petition is disposed of with a direction to the Deputy Commissioner of Police, T.Nagar, Chennai to monitor the investigation in Crime No.109 of 2022 and complete the same as expeditiously as possible.

28.06.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai – 600 007.
2. The Deputy Commissioner of Police,
CCB Vepery,
Chennai – 600 007.
3. The Inspector of Police (Crime),



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WEB COPY R4, Pondy Bazaar Police Station,
T.Nagar,
Chennai – 600 017.



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M.NIRMAL KUMAR, J.

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