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Crl.O.P.No.20802 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.20802 of 2023

D.Rajagopalan

Vs.

... Petitioner

1. The State Represented by,
The Deputy Superintendent of Police,
Economic Offences Wing,
Ashok Nagar,
Chennai – 600 083.

2. The State Represented by,
The Inspector of Police,
Economic Offences Wing,
Ashok Nagar,
Chennai – 600 083.

3. Radiant AgriTech Limited
Represented by its Director
Venkatesan Jayakumar,
Prestige Polygon, 3rd Floor,
471, Vatika Centre,
Anna Salai, Teynampet,
Chennai – 600 035.

... Respondents



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Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 2nd respondent to register the petitioner's complaint dated 02.05.2022 against the accused person in view of the order passed in Crl.M.P.No.28978 of 2022 dated 17.10.2022 on the file of the learned Chief Metropolitan Magistrate Court, Egmore, Chennai.

For Petitioner : Mr.D.Senthil Kumar

For R1 & R2 : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

For R3 : Mr.Adinarayana Rao

ORDER

Petitioner seeks direction to enquire his complaint dated 02.05.2022 in the light of the order passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai on 17.10.2022.

2. The learned Government Advocate (Crl. Side) submitted that, pursuant to the direction of the learned Chief Metropolitan Magistrate, Egmore, petitioner was summoned to produce documents in support of his complaint to proceed further. Though, petitioner has furnished two documents, some more documents are required for completion of preliminary enquiry. If the petitioner appears and produces those documents, respondent police will be able to complete the enquiry.



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3. The learned Government Advocate (Crl. Side) further states that, for the cases involving amount below Rs.3 Crores, Economic Offences Wing have no jurisdiction to enquire the matter and the matter will be transferred to CCB.

4. In reply, the learned counsel for the petitioner submitted that, it was the CCB, which has forwarded the complaint to Economic Offences Wing, through its communication dated 13.09.2022.

5. In the light of the above submission, this Court is of the view that, pecuniary jurisdiction of the matter can be decided later for completion of enquiry. Petitioner shall participate in the enquiry and produce what are all the documents required for Investigating Officer. For the said purpose, Investigating Officer shall cause summons to the petitioner for production of documents. On production of documents, enquiry should be conducted and proceeded as per the law and guidelines of the State Home Department. The said exercise shall be completed within a period of three months.



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6. With the above direction, this Criminal Original Petition is disposed of.

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Index : Yes/No

Neutral Citation : Yes/No

Sma

To:

1. The State Represented by,
The Deputy Superintendent of Police,
Economic Offences Wing,
Ashok Nagar,
Chennai – 600 083.
2. The State Represented by,
The Inspector of Police,
Economic Offences Wing,
Ashok Nagar,
Chennai – 600 083.
3. The Public Prosecutor,
Madras High Court.



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Dr.G.JAYACHANDRAN,J.

Sma

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