



W.P.No.28518 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.28518 of 2023

Prakash Trading Co.,
Represented by Special Power of Attorney
Mr.A.Navaganesh Raja

... Petitioner

Vs.

1.The Secretary,
Ministry of External Affairs,
New Delhi.

2.The Director General Of Police (L & O),
Tamil Nadu Police Head Quarters,
Dr.Radhakrishnan Salai,
Chennai – 600 004.

3.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai – 600 007.

4.The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai – 600 029.

... Respondents

Prayer: Writ Petition is filed under Section 226 of Constitution of India, pleased to direct the first respondent to take appropriate action and steps through the Consulate General Office of India at Dubai for the purpose of



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transferring the case No.8719 dated 09.09.2012 pending on the file of Director of Al Rashidiya Police Station, Police General H.Q. Government of Dubai, Dubai, UAE to be transferred to the 4th respondent herein, through the office of the 2nd respondent and to be tried along with the case No.(F.I.R.)1240 of 2017 pending on the file of the 4th respondent, within the time framed to be fixed by this Hon'ble Court.

For Petitioner : Mr.S.L.Venkatesan

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The fanciful story has been swindled by the petitioner herein and seeks interference of this court to transfer the case registered in UAE to India and to be tried along with the private complaint, which is said to be taken for trial.

2. The whole story starts in the year 2012, where it is alleged that there is a money dispute between Prakash Trading Company and Iqbal Shahul Hameed, proprietor of M/s.Blue Sky Electricals. Without even a piece of paper regarding the case pending in Dubai and how a criminal case



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pending in a sovereign nation for trial can be transferred to this country, the present petition is filed.

3. On reading the complaint alleged to be pending on the file of 4th respondent is pursuant to the complaint given by one Venkatesan as Power Agent of Prakash Trading Company. Now one Navaganesh Raja has come before this Court by way of writ petition to transfer the case claiming himself as power agent of Prakash Trading Company. The allegations found in the petition are unsustainable and not worth taking into consideration invoking the inherent power of this Court. In fact, it is necessary to exercise the power under Section 482 of Cr.P.C to quashes all further proceedings in FIR.1240/2017 pending on the file of 4th respondent, Inspector of Police, K-3, Aminjikarai Police Station, Chennai, to prevent the abuse of law. Hence, this Criminal Original Petition is dismissed with direction quashing FIR.1240 of 2017. Consequently, the connected Miscellaneous Petition is also closed.

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Index : Yes/No
Neutral Citation : Yes/No
drl



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Dr.G.JAYACHANDRAN,J.

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