



Crl.O.P.(MD)No.4620 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.4620 of 2023

K.Nagaraj

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi Taluk,
Sivagangai District.
- 4.M.Ruthrapriyan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the first respondent to pass suitable order for change of investigation of the petitioner's complaint in C.S.R.No.1128 of 2022 dated 01.11.2022 from the file of the 3rd respondent to some other agency, within the period as stipulated by this Court.

For Petitioners

: Mr.S.Rabeek Raja

For R1 to R3

: Mr.B.Nambiselvam

Additional Public Prosecutor



Cr.I.O.P.(MD)No.4620 of 2023

ORDER

WEB COPY

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking direction to the first respondent to pass suitable order for change of investigation of the petitioner's complaint in C.S.R.No.1128 of 2022 dated 01.11.2022 from the file of the 3rd respondent to some other agency, within the period as stipulated by this Court.

2. The learned counsel for the petitioner submitted that the fourth respondent approached the petitioner and stated that he can purchase of Apple Laptop for cheaper price in the market. Believing his words, the petitioner paid an amount of Rs.1,80,000/- to the fourth respondent. Thereafter, the fourth respondent neither bought the laptop to the petitioner nor returned the money. Therefore, he made a complaint to the third respondent on 01.11.2022, C.S.R.No. 1128 of 2022 was issued and summon was issued to the fourth respondent. After receiving summon, the fourth respondent appeared before the third respondent and given a statement that he will repay the above said amount within a period of two months. Thereafter, the petitioner approached the fourth respondent in several times to return the amount, but the fourth respondent failed to act upon as his promise. Therefore, he went to the 3rd respondent police but they did not take any action on his complaint dated 01.11.2022.



Crl.O.P.(MD)No.4620 of 2023

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the third respondent has received the petitioner's complaint and the same is kept pending for consideration.

4. In view of the above, third respondent police is directed to consider the complaint of the petitioner dated 01.11.2022, on its own merits by summoning the petitioner as well as the fourth respondent. The above said process may be completed within a period of 15 days from the date of appearance of the parties. Depending upon the outcome of the enquiry, further action may be taken either by the petitioner or by the concerned officials.

With the above directions, this Criminal Original petition is disposed of.

10.04.2023

Index : Yes/No
Internet:Yes/No
tta



Crl.O.P.(MD)No.4620 of 2023

WEB COPY

To

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi Taluk,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.4620 of 2023

G.ILANGO VAN, J.,

tta

Crl.O.P.(MD)No.4620 of 2023

10.04.2023