



WP(MD) No.3102 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.02.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.3102 of 2024

A.Sheik Mohammed

... Petitioner

/vs./

- 1.The Inspector General of Police (South Zone),
Office of the Inspector General of Police (South Zone),
Madurai,
Madurai District.
- 2.The Deputy Inspector General of Police (South Zone),
Office of the Inspector General of Police (South Zone),
Madurai,
Madurai District.
- 3.The Superintendent of Police,
Theni.
- 4.The Deputy Superintendent of Police,
Theni.
- 5.The Inspector of Police,
District Crime Branch,
Theni.



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6.A.Hakeem

7.Ahamed Sabir

8.Dr.Sabiya Begum

*(R3 to R5 have been suo motu impleaded
vide order of this Court dated 27.02.2024)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents 1 and 2 to investigate the Petitioner's representation dated 11.08.2023 and to conduct enquiry of the Respondents 3 to 5.

For Petitioner : Mr.M.A.M.Raja

For R1 to R5 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submitted that the Respondents 6 to 8 have made an advertisement regarding investment which fetches interest. Accordingly, the Petitioner was attracted towards the advertisement as stated out by the Respondents 6 to 8. He acted as their agent and he canvassed for deposits.



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The Petitioner had introduced 19 individuals as investors to invest in the schemes advertised by the Respondents 6 to 8. The total amount invested by the persons who were introduced by the Petitioner is Rs.1,67,00,000/-(Rupees One Crore Sixty Seven Lakh only). Now the Respondents 6 to 8 are attempting to abscond and also closed the address of the Investment Company. Instead of approaching the jurisdictional police where the Respondents 6 to 8 reside, the Petitioner had straight away approached the Inspector General of Police (South Zone), Madurai and Deputy Inspector General of Police (Madurai range,) Madurai to initiate proper action against the Respondents 6 to 8. Till date, no action has been taken. Therefore, the Petitioner was forced to file this petition seeking direction against the Respondents 1 and 2 to investigate the Petitioner's representation dated 11.08.2023.

2.The learned Government Advocate (Crl. side) on instructions submitted that the transactions took place in Theni. The Inspector General of Police had forwarded the complaint to the Deputy Inspector General of Poice, Madurai range from whom appropriate communication had been sent down the hierarchy up to the Inspector of Police, Silaiman Police Station. Also the learned Government



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Advocate (Crl.side) undertakes that since the case involved in the investment of money, the investigation will be handed over to the District Crime Branch, Theni. Till date, the District Crime Branch, Theni had not received any communication from the Respondents 1 and 2.

3.In the light of the submission made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side), the Superintendent of Police, Theni, the Deputy Superintendent of Police, Theni and the Inspector of Police, District Crime Branch, Theni are *suo motu* impleaded as Respondents 3 to 5. The original Respondents in this Writ Petition are rearranged accordingly.

4.The Respondents 1 and 2 are directed to issue proper proceedings to the third Respondent/Superintendent of Police, Theni, to act as per the complaint of the Petitioner against the Respondents 6 to 8, who have collected vast amount from various persons based on the advertisement made by them through whatsapp messages. The second Respondent shall direct the Respondents 4 and 5 to register a case with the fifth Respondent. It shall be continuously monitored by the fourth Respondent under the supervision of the third Respondent. The case has to be



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registered by the fifth Respondent within a period of one month from the date of receipt of a copy of this order and the investigation will be completed within a period of three months thereafter.

With the above directions, this Writ Petition is disposed of. No costs.

27.02.2024

Index : Yes / No

Internet : Yes / No

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Note :

Registry is directed to carry out necessary amendment.

TO:

- 1.The Inspector General (South Zone),
Office of the Inspector General (South Zone),
Madurai,
Madurai District.
- 2.The Deputy Inspector General (South Zone),
Office of the Inspector General (South Zone),
Madurai,
Madurai District.
- 3.The Superintendent of Police,
Theni.

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4.The Deputy Superintendent of Police,
Theni.

5.The Inspector of Police,
District Crime Branch,
Theni.



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SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.3102 of 2024

Dated:
27.02.2024