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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.8244 of 2022

Ponraj ... Petitioner/Defacto complainant

Vs.

State Rep. by
1.The Inspector General of Police,
South Zone, Madurai.

2.The Superintendent of Police,
Tenkasi District, Tenkasi.

3.The Deputy Superintendent of Police,
CBCID Wing,
Tenkasi at Tirunelveli.

4.The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi.
(Crime No.428 of 2021) ... Respondents/Complainants

PRAYER:- Petition filed under Section 482 of Cr.P.C., to direct to withdraw the case in Crime No.428 of 2021 pending on the file of the fourth respondent herein and entrust the same to the third respondent and also direct the first respondent monitor the same effectively and file final report in accordance with law.

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For Petitioner : Mr.A.Mohamed Hashim

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct to withdraw the case in Crime No.428 of 2021 pending on the file of the fourth respondent herein and entrust the same to the third respondent and also direct the first respondent monitor the same effectively and file final report in accordance with law.

2.The case of the petitioner is that the accused persons, in Crime No.428 of 2021, induced the petitioner and other similarly situated unemployed youths as if they could get a job from the Tamil Nadu Public Service Commission and collected Rs.15,00,000/- initially and thereafter, they induced 19 other friends of the petitioner and totally they collected Rs.1,53,70,000/- and thereafter, they issued a fake appointment order, for which, the petitioner initially made a complaint before the fourth respondent police. However, the fourth respondent police has not shown any interest. Thereby, the petitioner filed a petition under Sections 200, 190(1) and 156(3) of Cr.P.C., before the learned Judicial Magistrate, Tenkasi and based on the direction of the learned Judicial

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Magistrate, the FIR was registered. Even after the registration of FIR, the fourth respondent has not taken any effective steps for investigating the matter in a proper manner and hence, the petitioner has filed the present petition with the above said prayer.

3.The learned counsel for the petitioner would submit that admittedly, the accused persons cheated the petitioner and 19 other friends of the petitioner, whereas, the fourth respondent joined with the accused persons and had not completed the investigation and not taken any steps to secure the accused and hence, this Court may issue a direction to either the third respondent or the fourth respondent to complete the investigation.

4.The learned Additional Public Prosecutor would submit that apart from the FIR in Crime No.428 of 2021, two FIRs were registered against the accused persons in Crime Nos.3 of 2020 and 30 of 2020 under various offences and the investigation will be completed in the manner known to law.

5.In view of the above, the Criminal Original Petition is disposed of with a direction to the fourth respondent to conduct investigation in a fair manner and file a final report within a period of eight weeks from the date of receipt of

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a copy of this order. The investigation shall be monitored by the concerned Deputy Superintendent of Police.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

06.02.2024

To

1.The Inspector General of Police,
South Zone, Madurai.

2.The Superintendent of Police,
Tenkasi District, Tenkasi.

3.The Deputy Superintendent of Police,
CBCID Wing,
Tenkasi at Tirunelveli.

4.The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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M.DHANDAPANI, J.

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