



W.P.No.25107 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25107 of 2023
and W.M.P. No.24537 of 2023

J.Kothandaraman

.... Petitioner

Vs

1.The Director General of Police,
Head of Police Force, Tamil Nadu,
Chennai – 600 004.

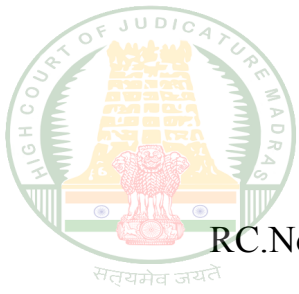
2.The Superintendent of Police,
Economic Offences Wing (Hqs),
Police Training College Campus,
Ashok Nagar, Chennai – 600 083.

3.The Additional Director General of Police,
Economic Offences Wing (Hqrs),
Ashok Nagar, Chennai – 600 083.

4.The Inspector of Police,
Economic Offences Wing (Hqrs),
Ashok Nagar, Chennai – 600 083.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for the records of the 2nd respondent by its proceedings



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RC.No.C2/EOW/11763/2022 dated 01.08.2023, signed by the 3rd respondent and quash the same and consequential directions to the 4th respondent to proceed further on the basis of complaint dated 24.07.2021 and to take further actions as per law.

For Petitioner : Mr.V.Manoharan

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate
(Criminal Side)

ORDER

The writ petition has been filed challenging the communication of the 2nd respondent dated 01.08.2023 in RC.No.C2/EOW/11763/2022, thereby informing the complaint lodged by the petitioner, which has been forwarded to the file of Deputy General of Police, Head of Police Department, Pondicherry for further action.

2. It is seen that the petitioner lodged a complaint before the Additional Commissioner of Police, (CCB), Crime Branch, Vepery, Chennai and the same was enquired and it was revealed that the entire transaction took place in the jurisdiction of Pondicherry and the accused also resides at Pondicherry, therefore the complaint was forwarded to the Deputy General of Police, Head of Police Department, Pondicherry for further action.



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WEB COPY 3. Though the learned counsel for the petitioner submitted that on the complaint lodged by one Gnansamandham for the very same allegation against the same accused, the Inspector of Police, CCB-I, Chennai registered an FIR in Cr.No.237 of 2022 for the offences under Sections 406, 402 & 506(i) r/w 34 of IPC, the learned Government Advocate (Crl.Side) filed a status report stating that out of the business transaction, the counter party initially assured to settle the amount amicably and hence, the petitioner requested the Enquiry Officer to keep the complaint in abeyance, later, he submitted a letter dated 10.06.2023 stating that out of disputed amount, he has received only an amount of Rs.70,13,465/- and the balance Rs.84,86,535/- has to be paid by the accused and requested the respondent police to take action against the accused. Thereafter, the enquiry officer verified the maintainability, it revealed that the accused Finance Company is having its Principal place of business at Pondicherry with GST Registration at Pondicherry not within the jurisdiction of the Economic Offences Wing, State of Tamil Nadu. Subsequently, the impugned order passed by the second respondent has been intimated to the petitioner.



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4. In view of the above submissions, this Court finds no infirmity or illegality in the order passed by 2nd respondent dated 01.08.2023 in RC.No.C2/EOW/11763/2022. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the jurisdictional police for appropriate relief. Connected Miscellaneous petition is closed. No costs.

20.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rkp

To

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WEB COPY



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G.K.ILANTHIRAIYAN, J.

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