



CRL.OP(MD) No.5938 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.5938 of 2025

Mohan Samraj

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Superintendent of Police,
District Police Office,
Nagercoil,
Kanyakumari District.

2. The Assistant Superintendent of Police,
ASP Office, Nagercoil Sub Division, Punnai Nagar,
Konam,
Nagercoil 629 004.

3. The Inspector of Police,
Vadasery,
Nagercoil.

4. B.Deepak @ Deepak Balan Pillai

5. Unnikrishnan Pillai

6. Ajitha

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to direct the respondents no.1 to 3 to expedite the investigation of petitioner's



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complaint in P2/SP/799/83/2025 dated 06.01.2025 and the annexure complaint 10.03.2025 within time frame as may be fixed by this Court.

For Petitioner : Mr.P. Prabhakaran

For R1 to R3 : Mr.M. Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to direct the respondents no.1 to 3 to expedite the enquiry of petitioner's complaint in P2/SP/799/83/2025 dated 06.01.2025 and the annexure complaint 10.03.2025 within time frame fixed by this Court.

2. According to the petitioner, he lodged a complaint before the 1st respondent as against the 4th respondent for cheating of Rs.22 lakhs and also lodged an another complaint dated 10.03.2025 to take action against the respondents no.4 to 6, but the same have not been considered. Hence this petition.

3. The learned Government Advocate (Criminal Side) appearing for the respondents no.1 to 3 would submit that the petitioner is the collecting agent for the arrangement of job in abroad and the petitioner has received



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amounts from the customers and he used to sent money to the 4th respondent and thereby, the petitioner lodged a complaint against the respondent no.4, who is in abroad and the 3rd respondent has also issued summon to the respondents no.5 and 6 and they are senior citizens. After receipt of summons, they have not appeared for enquiry and the 4th respondent has also residing in abroad. Therefore, the enquiry is still pending and the petitioner has also not produced any particulars and not even appeared for enquiry. If the petitioner appears and produce all the relevant documents, they will consider and take appropriate action in accordance with law.

4. Considering the prayer sought for in this petition, this Court without even issuing notice to the respondents no.4 to 5 inclined to pass orders in this petition.

5. According to the petitioner, he lodged complaints against the private respondents no. 4 to 6 for the job rocketeering and the same has not been considered by the 3rd respondent. According to the 3rd respondent, they received the complaints from the petitioner and issued summon to the respondents no.5 and 6 and now the 4th respondent is in



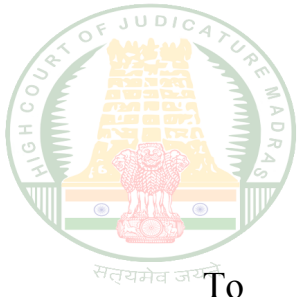
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abroad, and the respondents no.5 and 6 have not appeared and the petitioner also not appeared for enquiry. Therefore, it is appropriate to direct the petitioner to appear before the 3rd respondent on 12.04.2025 and produce all the relevant documents. Thereafter, the 3rd respondent has to conduct enquiry and take appropriate action on the petitioner's complaints dated 06.01.2025 and 10.03.2025 after affording an opportunity to both the parties within fifteen [15] days from the date of this order.

6. With the above said observation and direction, this Criminal Original Petition is disposed of.

01.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1. The Superintendent of Police,
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2. The Assistant Superintendent of Police,
ASP Office, Nagercoil Sub Division, Punnai Nagar,
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Nagercoil 629 004.
3. The Inspector of Police,
Vadasery,
Nagercoil.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL, J.

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