

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.10379 of 2015

S.Maheswari

... Petitioner

Vs

1.State rep. by the Superintendent of Police,
Kancheepuram District.

2.The Deputy Superintendent of Police,
Kancheepuram District.

3.The Inspector,
H-3, Marimalai Nagar Police Station,
Marimalai Nagar, Chennai.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the respondents police to investigate in to the
complaint given by the petitioner dated 09.02.2014 and register FIR
against A.Dorairaj and D.Asothaman and take action as per law.

For Petitioner : Mr.S.Balasubramaniam

For Respondents : Mr.C.Emalias, Addl. Public Prosecutor

O R D E R

Seeking a direction to the respondents to register the case
on the petitioner's complaint dated 09.02.2014.

2. Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the respondents
and perused the materials placed on record.

3. It is represented by the learned Additional Public
Prosecutor that the complaint given by the petitioner was enquired
into and it has been closed.

4. It is the case of the petitioner that the counter
petitioner had taken Rs.2,25,000/- promising to convey a land under
agreement dated 19.09.2012. When the petitioner lodged a complaint,
the opposite party came to the Police Station and agreed to return
the money and went back upon the promise.

5. When the transaction is covered by a valid agreement, the police cannot be directed to register a case and take criminal action in a civil dispute. Hence, this petition is closed with liberty to the petitioner to workout his remedy in the manner known to law.

6. With the above observation, this Criminal Original Petition is closed.

gya

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Kancheepuram District.
- 2.The Deputy Superintendent of Police,
Kancheepuram District.
- 3.The Inspector,
H-3, Marimalai Nagar Police Station,
Marimalai Nagar, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.Balasubramaniam, Advocate SR 28286

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