

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.10475 of 2015

S.Shunmugham

...Petitioner

Vs

1.State by

The Commissioner of Police,
Chennai Crime Branch,
Egmore, Chennai - 8.

2.The Inspector of Police,
Vadapalani, Chennai.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents to register a complaint on the basis of the complaint by the petitioner on 12.03.2015 by handing over original documents of title to the petitioner.

For Petitioner : Mr.G.V.Sridharan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

Seeking a direction to the respondents to register a complaint on the basis of the complaint by the petitioner on 12.03.2015 by handing over original documents of title to the petitioner, the petitioner has come up with this petition.

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

3.On reading of the complaint, it appears that on the complaint given by the petitioner's father, a case in Crime No.593 of 1999 has been registered against one Kalaithangam and after investigation, a final report has been filed and the trial was

held. In the said trial, Kalaithangam has been convicted and sentenced by the trial Court. Aggrieved by which, he preferred an appeal and the same is pending.

4.The learned counsel for the petitioner submitted that the said Kalaithangam is in possession of the original documents and the father of the petitioner has made a complaint, which is the subject matter of the case in Crime No.593 of 1999. Under such circumstances, no positive direction can be issued to the police to register a case against the said person, who has already been tried and convicted. Hence, this petition is closed with a liberty to the petitioner to work out his remedies in the manner known to law.

Sd/-
Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Commissioner of Police,
Chennai Crime Branch,
Egmore, Chennai - 8.

2.The Inspector of Police,
Vadapalani, Chennai.

3.The Public Prosecutor,
High Court, Madras.

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CA (CO)
PSI (21.05.2015)

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