

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.10607 of 2015

S.Ganesan

... Petitioner

vs.

1. State, Represented by
The Superintendent of Police,
Tiruvallur,
Tiruvallur District.
2. The Deputy Superintendent of Police,
Thiruvallur,
Thiruvallur District.
3. The Inspector of Police,
E-5, Cholavaram Police Station,
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to transfer the case file pertaining to his complaint dated 03.04.2015 on the file of the third respondent police to any other police station which comes under the jurisdiction of the second respondent and with the further direction to conduct enquiry pertaining to his complaint dated 03.04.2014 and file the final report within a stipulated period of time and pass further orders.

For Petitioner : Mr.P.Suresh

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

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O R D E R

Seeking to transfer the case file pertaining to his complaint dated 03.04.2015 on the file of the third respondent police to any other police station which comes under the jurisdiction of the second respondent and with the further direction to conduct enquiry pertaining to his complaint dated 03.04.2014 and file the final report within a stipulated period of time and pass further orders, the petitioner has come up with this petition.

2. Heard the learned counsel for the petitioner and the Additional Public Prosecutor appearing for the respondents.

3. On a reading of the complaint dated 19.09.2013, it is seen that the opposite party had borrowed money from the petitioner and when the petitioner went to demand the same, he was threatened by the opposite party. Therefore, the petitioner approached this Court with Crl.O.P.No.3791 of 2014. By order dt 11.06.2014, this Court passed the following order:-

"Considering the facts and circumstances of the case, this Court directs the respondent to conduct enquiry on the complaint of the petitioner and complete the same as expeditiously as possible and proceed further in accordance with law, if cognizable offences are made out."

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the copy of the complaint of the petitioner dated 03.04.2014 is not available with the third respondent.

5. The Police cannot take any action with regard to the money transaction but, if there is any threat to the life of the petitioner, the same shall be looked into by the respondent police and necessary action will be taken. Further, the petitioner is directed to give a copy of the complaint dated 03.04.2014 to the third respondent.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jbm

To

1. State, Represented by
The Superintendent of Police,
Tiruvallur,
Tiruvallur District.
2. The Deputy Superintendent of Police,
Thiruvallur,
Thiruvallur District.
3. The Inspector of Police,
E-5, Cholavaram Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.P.Suresh, Advocate, S.R.No.23407

Crl.O.P.No.10607 of 2015

CA(CO)
CA(25/05/2015)



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