

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10943 of 2015

N.Selvaraja

.. Petitioner

Vs

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai.

2. The Inspector of Police
K-10 Koyembedu Police Station,
Chennai.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents to register a case on the basis of a complaint given by the petitioner, before the 2nd respondent on 18.02.2015.

For Petitioners : Mr.T.N.Rajeshwaran

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

ORDER

This petition is filed seeking for a direction, directing the respondents to register a case on the basis of the complaint given by the petitioner, before the 2nd respondent on 18.02.2015.

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

3. It is seen that the petitioner has given a complaint on 18.02.2015, for which the respondent police have issued C.S.R.No.97/2015. During the course of enquiry, it is came to light that the tenant by name Elumalai vacated the premises and he had given the property to one Venugopal and he has produced the fabricated lease agreement, as if the petitioner's wife had given the lease.

4. It is submitted by the learned counsel for the petitioner that the petitioner's wife Devika died in the year 2012 itself and therefore, she has not given the lease to the said Venugopal. After giving complaint dated 18.02.2015, the petitioner sent a further complaint by post without any date to the Commissioner of Police.

5. Under such circumstances, the petitioner is directed to report these facts to the Inspector of Police K-10, Koyembedu Police Station, Chennai, who is conducting enquiry in C.S.R.No.75/2015 and during the course of enquiry, if any cognizable offence is made out, the respondent police shall register the case and take action in accordance with the law laid down by the Honourable Apex Court in Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)].

6. This Criminal Original Petition is disposed of with the above direction.

vsm

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai.
2. The Inspector of Police
K-10 Koyembedu Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.N.Selvapandian, Advocate SR 24305

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